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ACCOUNTS AND PAPERS:

FORTY-FOUR VOLUMES.

—*(43.)*—

STATE PAPERS—*continued.*

UNITED STATES—*continued*; EGYPT.

Session
11 *February* 1890 — 18 *August* 1890.

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ACCOUNTS AND PAPERS:

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FORTY-FOUR VOLUMES:—CONTENTS OF THE

FORTY-THIRD VOLUME.

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SUMMARY OF THE PROTOCOLS,

AND

FINAL ACT

OF THE

INTERNATIONAL MARINE CONFERENCE

HELD AT

WASHINGTON,

OCTOBER TO DECEMBER 1889.

Presented to both Houses of Parliament by Command of Her Majesty.
August 1890.

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Summary of the Protocols, and Final Act, of the International Marine Conference held at Washington, October to December 1889.

The British Delegates to International Marine Conference to the Marquis of Salisbury.—(*Received January* 13, 1890.)

(Extract.) *Washington, December* 31, 1889.

WE have the honour to inform your Lordship that the Conference terminated its labours to-day.

We beg to inclose herewith a Summary of the Protocols of the Conference, which we have prepared for convenience of reference.

We have also the honour to inclose copies of the Resolutions passed by the Conference, based on the recommendations of these Committees.

We have, &c.

(Signed) CHARLES HALL.
N. BOWDEN-SMITH.
HENRY WYATT.
G. S. NARES.
JAMES WIMSHURST.

Inclosure 1.

Summary of Proceedings.

October 17, 1889.

IT was resolved that the Articles of the Revised Regulations for Preventing Collisions at Sea, and known as the International Rules, be considered Article by Article in numerical order.

The Rules were accordingly read, and various amendments were proposed which were printed for consideration.

The Rules are appended.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Article 1. In the following Rules every steam-ship which is under sail and not under steam is to be considered a sailing-ship; and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam.

Rules concerning Lights.

Art. 2. The lights mentioned in the following Articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others, shall be carried in all weathers, from sunset to sunrise.

Art. 3. A sea-going steam-ship when under way shall carry—

(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the

light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

(*b.*) On the starboard side, a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*c.*) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*d.*) The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

Art. 4. A steam-ship, when towing another ship, shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light which other steam-ships are required to carry.

Art. 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and, if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 3 feet apart, in front of but not lower than her foremast head, three black balls or shapes, each 2 feet in diameter.

(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph cable, shall at night carry in the same position as the white light which steam-ships are required to carry, and, if a steam-ship, in place of that light, three lights in globular lanterns each not less than 10 inches in diameter, in a vertical line over one another, not less than 6 feet apart; the highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character that the red lights shall be visible at the same distance as the white light. By day she shall carry in a vertical line one over the other not less than 6 feet apart, in front of but not lower than her foremast head, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The ships referred to in this Article, when not making any way through the water, shall not carry the side lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other ships as signals that the ship showing them is not under command, and cannot therefore get out of the way. The signals to be made by ships in distress and requiring assistance are contained in Article 27.

Art. 6. A sailing-ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry.

Art. 7. Whenever, as in the case of small vessels during bad weather, the green and red side lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 8. A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon, at a distance of at least 1 mile.

Art. 9. A pilot-vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the masthead, visible

all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot-vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

Art. 10. Open boats and fishing-vessels of less than 20 tons net registered tonnage, when under way and when not having their nets, trawls, dredges, or lines in the water, shall not be obliged to carry the coloured side lights; but every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The following portion of this Article applies only to fishing-vessels and boats when in the sea off the coast of Europe lying north of Cape Finisterre: —

(*a.*) All fishing-vessels and fishing-boats of 20 tons net registered tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

(*b.*) All vessels when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet; and so that the horizontal distance between them measured in a line with the keel of the vessel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character, and contained in lanterns of such construction, as to show all round the horizon, on a dark night with a clear atmosphere, for a distance of not less than 3 miles.

(*c.*) A vessel employed in line-fishing with her lines out shall carry the same lights as a vessel when engaged in fishing with drift-nets.

(*d.*) If a vessel when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

(*e.*) Fishing-vessels and open boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling, dredging, or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her trawl, dredge, or drag-net, they shall be exhibited from the bow.

(*f.*) Every fishing-vessel and every open boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*g.*) In fog, mist, or falling snow, a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with their lines out, shall at intervals of not more than two minutes make a blast with her fog-horn and ring her bell alternately.

Art. 11. A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

Sound Signals for Fog, &c.

Art. 12. A steam-ship shall be provided with a steam-whistle or other efficient steam-sound signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn to be sounded by a bellows or other mechanical means, and also with an efficient bell.* A sailing-ship shall be provided with a similar fog-horn and bell.

In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows; that is to say:—

(*a.*) A steam-ship under way shall make with her steam-whistle, or other steam-sound signal, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*c.*) A steam-ship and a sailing-ship, when not under way, shall at intervals of not more than two minutes ring the bell.

* In all cases where the Regulations require a bell to be used a drum will be substituted on board Turkish vessels.

Speed of Ships to be moderate in Fog, &c.

Art. 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed.

Steering and Sailing Rules.

Art. 14. When two sailing-ships are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz. :—

(*a.*) A ship which is running free shall keep out of the way of a ship which is close-hauled.

(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

(*c.*) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

(*e.*) A ship which has the wind aft shall keep out of the way of the other ship.

Art. 15. If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where ships are meeting end on, or nearly end on, in in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which, by day, each ship sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each ship is in such a position as to see both the side lights of the other.

It does not apply, by day, to cases in which a ship sees another ahead, crossing her own course; or by night, to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 16. If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

Art. 17. If two ships, one of which is a sailing-ship, and the other a steam-ship, are proceeding in such directions as to involve risk of collision, the steam-ship shall keep out of the way of the sailing-ship.

Art. 18. Every steam-ship when approaching another ship so as to involve risk of collision shall slacken her speed, or stop and reverse, if necessary.

Art. 19. In taking any course authorized or required by these Regulations, a steam-ship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, viz. :—

One short blast to mean "I am directing my course to starboard."

Two short blasts to mean "I am directing my course to port."

Three short blasts to mean "I am going full speed astern."

The use of these signals is optional, but if they are used the course of the ship must be in accordance with the signal made.

Art. 20. Notwithstanding anything contained in any preceding Article, every ship, whether a sailing-ship or a steam-ship, overtaking any other, shall keep out of the way of the overtaken ship.

Art. 21. In narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship.

Art. 22. Where by the above Rules one of two ships is to keep out of the way, the other shall keep her course.

Art. 23. In obeying and construing these Rules, due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

No Ship, under any circumstances, to neglect proper Precautions.

Art. 24. Nothing in these Rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or o

any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 25. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation.

Special Lights for Squadrons and Convoys.

Art. 26. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy.

Art. 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately; that is to say—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by N C;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the ship (as from a burning tar barrel, oil barrel, &c.);
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals.

October 21 *and* 22.

Further amendments were proposed and printed for consideration.

October 28.

Article 1.—*Mr. Goodrich* (United States) proposed to substitute the word "vessel" for "ship"; the word "vessel" being a generic term.

Mr. Hall (Great Britain) proposed that a steam-vessel being towed should be treated as a sailing-vessel.

The first amendment was adopted, the second postponed.

Mr. Hall (Great Britain) proposed to add to Article 1 the words, "Steam-vessels shall include all vessels propelled by machinery," so as to include modern vessels propelled by a motive power other than steam.

A discussion arose on the wording, and it was decided to put the amendment in principle, leaving the actual wording to a later stage. In this form it was carried.

Article 2.—*Captain Mensing* (Germany) proposed that Article 2 be amended by the addition of the words, "and no others which might be mistaken for such lights," in order to avoid the danger of misleading lights, while recognizing the faat that other lights may be carried on board ship.

This amendment was accepted by the British Delegates, who preferred it to a somewhat similar amendment proposed by Captain Salvesen (Norway) as involving less change in the wording, and carried unanimously.

Mr. Hall (Great Britain) proposed an addition to the Rule to the effect that in cases where the breadth of the ship is over 40 feet the light need not be carried at a greater height above the water than 40 feet.

Some discussion arose owing to a Delegate of the United States stating that the Rule would change the system existing in the harbour and waters of New York. It was, however, pointed out that he was under a misapprehension, and the amendment was carried as proposed.

Article 3.—*Mr. Goodrich* (United States) proposed that the first line be amended as follows, "Every steam-vessel when under way," omitting the word "sea-going" in order that the Rules might be made to apply to all waters alike, the several nations to make their own exceptions as to their own waters.

Mr. Hall (Great Britain) said that, so far as he was aware, the word had no reference to jurisdiction, but that its object was to classify vessels in a general way, sea-going vessels being presumably large enough to carry the lights provided for vessels which navigated the sea.

A clause would have to be inserted excluding vessels too small to carry such lights.

It was pointed out that the word was omitted in the Rules of Austria, Denmark, Germany, Italy, Mexico, Norway, and Sweden.

Dr. Sieveking (Germany) said that the word was omitted in the German Rules because there were no local Rules on the German rivers.

The motion was carried.

November 1.

Extra amendments were proposed.

November 4.

Article 3.—*Captain Mensing* (Germany) proposed: "That a certain candle power be substituted as the standard for the visibility of lights mentioned in these Rules in lieu of the standard now in force."

After discussion, the following amendment was proposed: "That a certain candle power be adopted as a standard for the visibility of light mentioned in these Rules, the candle power to be hereafter determined."

It was agreed that this should be recorded in the shape of a note to the Rules, and it was accepted upon these terms by the *Delegates of Great Britain*, and carried by the Conference.

Mr. Verney (Siam) proposed that the word "uniform" before "unbroken light" be struck out, on the grounds that the light could not be made uniform.

The amendment was accepted by *Mr. Hall* (Great Britain), and carried.

Article 4.—Amendment proposed by *Mr. Hall* (Great Britain), that the distance between the lights be 6 feet instead of 3 feet.

The United States' Delegates proposed that the distance be 4 feet.

The former amendment was carried.

Captain Shackford (United States) proposed an amendment to the effect that a vessel towing shall carry a small bright light abaft the funnel for the vessel being towed to steer by.

Mr. Hall suggested that the Rule should be made permissive.

It was put in the following form:—

"A small bright light abaft the funnel or after mast may be carried for the vessel being towed to steer by, such light to be only visible from right astern to four points on each quarter."

It was opposed by *Captain Richard* (France), and put to the vote.

The Delegates of France, Norway, Sweden, and *the Netherlands* voted against it; and it was carried by 15 to 4.

November 5.

Mr. Shackford proposed a change in his amendment as to lights on vessels towing, viz., "not to be visible before the beam," instead of "to be visible from right astern to four points abaft the beam."

Mr. Hall (Great Britain) supported the change on the ground of simplicity; and it was carried.

Captain Malmberg (Sweden) proposed that a sailing-vessel towing another vessel should carry the same lights as a vessel not under command.

After some discussion, during which *Mr. Hall* (Great Britain) stated that he had no objection to giving such a ship a distinctive light, provided such a light could be found, the amendment was carried in a modified form as follows:—

"A sailing-vessel towing a disabled vessel shall carry some distinctive light, provided such light can be determined upon by the Conference."

Mr. Hall (Great Britain) proposed an amendment to Article 5 to add the words, "These signals are not signals of ships in distress and requiring assistance. Such signals are contained in Article 27;" a change of verbiage in order to make the Article plainer.

The amendment was carried.

Article 5.—*M. van Steyn* (Netherlands) proposed an amendment:—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry in the same position as the white lights which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns not less than 6 feet apart, and of such a character as to be visible on a dark night, in a clear atmosphere, at a distance of at least 2 miles, and shall by day," &c.

Mr. Hall (Great Britain) stated that he intended to propose two lights and two balls instead of three, but that it would not affect the principle of the amendment.

The amendment was carried.

M. van Steyn (Netherlands) proposed an amendment:—

"(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns in a vertical line over one another, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. By day she shall carry, in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

Captain Mensing (Germany) proposed an amendment to strike out the words "in globular lanterns," and add, after the words, "at a distance of at least 2 miles," the following: "but if she be a steam-ship, then at a distance of not less than 5 miles.

Captain Mensing's amendment was lost.

Mr. Hall (Great Britain) pointed out the difficulty of getting a coloured light to show more than 2 miles, and *Captain Malmberg* (Sweden) stated that ordinary ships were used in Sweden to lay telegraph cables, which could not carry very powerful lights.

The original amendment was carried.

Captain van Steyn (Netherlands) proposed to add, as a recommendation to the Conference, that a special signal should be found for steamers in the daytime which were proceeding under sail only, but which were manageable.

Mr. Hall (Great Britain) said that he had no objection in principle to the proposal, the object of which was to show at once that a vessel which was apparently a steamer was not one, but a sailing-vessel.

The principle was adopted, and referred to the Collocation Committee.

Mr. Hall (Great Britain) proposed:—

"Art. 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, two red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry, in a vertical line, one over the other, not less than 6 feet apart, in front of but not lower than her foremast-head, two black balls or shapes, each 2 feet in diameter;" on the grounds that two red lights were sufficient.

The amendment was carried.

Dr. Sieveking (Germany) proposed that a vessel aground in a fairway should carry the lights for vessels not under command.

Mr. Hall (Great Britain) stated that it had been argued in the English Courts that vessels aground in a fairway should carry such lights, and not those for a vessel at anchor.

Mr. Goodrich (United States) and *Captain Richard* (France) opposed the amendment, which was negatived by 15 to 5, Great Britain, Germany, Denmark, Russia, Sweden, and Siam voting for it.

[*Note.*—This was subsequently carried. See November 11, *infra.*]

November 7.

Article 6.—*Mr. Hall* (Great Britain) proposed an amendment:—

"Art. 6. A sailing-ship under way or being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry;" which was carried.

M. Richard (France) proposed an amendment to the effect that sailing-vessels should carry the same lights as steam-vessels, with a white mast-head light in addition.

He explained, however, that out of deference to his colleagues on the Committee of Lights, who had decided against his proposal, he would now withdraw it.

Mr. Hall (Great Britain) proposed:—

"Art. 8. A ship under 100 feet in length, whether a steam-ship or a sailing-ship, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light visible all round the horizon, at a distance of at least 1 mile.

"All ships of 100 feet or upwards in length, when at anchor, shall carry two such lights as follows, that is to say:—

"In the forward part of the ship, and at a height of not less than 20 and not exceeding 40 feet above the hull, one such light; and at or near the stern of the ship, and at such a height that it shall be not less than 15 feet lower than the forward light, the other of such lights.

"The length of a ship shall be deemed to be the length appearing in her certificate of registry."

Mr. Hall explained that in his amendment he had inserted the word "forward" after "carry" in the second line, in adoption of an amendment of the German Delegates.

Dr. Sieveking (Germany) proposed to put the limit at 150 feet instead of 100 feet, which he thought was too low.

Mr. Hall accepted the alteration.

Captain Shackford (United States) proposed as an amendmend that a distinctive second riding light, consisting of a red and a white light 30 inches apart, should be carried at the stern. This Resolution was put to the Conference and lost; and the original amendment as proposed by Mr. Hall was carried, with the change of 100 to 150 feet.

Article 11.—An amendment to Article 11 was moved by the Delegates from the Netherlands to the effect that every vessel exceeding 20 tons registered should carry on her stern an irregularly occulting white light.

Mr. Hall (Great Britain) moved that before this amendment was put to the vote the proposal made by the British Delegates should be considered, viz.:—

"Art. 11. A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"The white light required to be shown by this Article may be fixed, and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an uniform and unbroken light over an arc of 12 points, that is to say, for 6 points from right aft on each side of the ship.

"Such lights shall be carried as nearly as practicable on the same level as the side lights."

Mr. Goodrich (United States) proposed that the words "or occulting" should be added after the word "fixed."

Mr. Hall pointed out that the Conference was thus asked to sanction the use of a light as to which they had no data and no precise information, and upon which no public experiments had been made.

Mr. Goodrich's amendment was put and lost; and the British proposal was adopted with two alterations, viz.: (1) the words "uniform and" were struck out in conformity with a previous vote of the Conference. (See *supra*, November 4.)

2. The words, "and so as to be visible on a dark night, in a clear atmosphere, at a distance of 1 mile," were added after the word "ship." Both alterations were accepted by the British Delegates; the limit of 1 mile being adopted with a view to induce small vessels to adopt the light.

The British Delegates then moved an Additional Article, as follows:—

"*Lights and Signals to Attract Attention.*

"Art. .—Every ship may at any time, in addition to the lights which she is by these Regulations required to carry, show a flare-up light or use a detonating signal to attract attention."

Some discussion arose upon this. It was pointed out that confusion with distress signals might be entailed; and *Mr. Hall*, acknowledging that the criticisms were worthy of consideration, asked that the Conference should vote on the principle, leaving it to subsequent discussion as to what kind of signals should be used.

At the suggestion of *M. Flood* (Norway), the words "when necessary" were substituted for "at any time."

The question upon the principle was carried.

[*Note.*—The signals suggested above were adopted, see December 5, *infra*.]

November 8.

Article 12.—*Mr. Hall* (Great Britain) proposed:—

"In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say:—

"(*a.*) A steam-ship under way shall make with her steam whistle, or other steam

sound-signal, at intervals of not more than two minutes, a long blast of about four seconds duration.

"(*b.*) A steam-ship not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two * long blasts with an interval of about one second between them.

"(*c.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than ~~two minutes,~~† when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

"(*d.*) A steam-ship and a sailing-ship, when at anchor, ~~or moored,~~‡ shall, at intervals of not more than ~~two minutes,~~† ring the bell.§"

On the amendment to section (*a*) a discussion arose.

Captain Shackford (United States) said that the experience of seamen was in favour of a blast of at least six seconds duration, an assertion which was controverted by *Captain Mensing* (Germany).

Captain Wyatt (Great Britain) stated that he had several times had his hearing seriously affected by the continuous sound of the whistle.

The amendment to section (*a*) was carried.

Mr. Hall (Great Britain) then moved his amendment to section (*b*), inserting the word "such" between "two" and "blasts." It was carried.

In subsection (*c*) *Mr. Goodrich* (United States) moved an amendment changing the words "two minutes" to "one minute," which was carried.

In subsection (*d*) the words "or moored" were omitted by general consent, as, by a ruling of the Conference on the 7th November, there was no doubt about the meaning of the words "at anchor."

On the proposal of *Mr. Goodrich* (United States), to which the British Delegates assented, the latter part of the paragraph was amended to read, "shall at intervals of not more than one minute ring the bell rapidly for about five seconds."

Captain Mensing (Germany) proposed that the words, "to be sounded by a bellows or other mechanical means," in the first paragraph, should be omitted. This was opposed by *Mr. Hall* (Great Britain), and the amendment was lost.

Captain Malmberg (Sweden) moved that a vessel towing should sound a distinctive signal.

At *Mr. Hall's* suggestion, the amendment was carried in principle, and referred to the Committee on Sound Signals, who should also report whether or no it was desirable to have a distinctive signal for a sailing-ship towing.

A discussion arose as to the meaning of the words "at anchor," which *Mr. Goodrich* (United States) desired should be defined by the Collocation Committee, but his proposal was lost.

M. Verbrugghe (Belgium) raised the question as to a standard for fog-signals.

At the instance of *Mr. Hall* (Great Britain), it was moved that it was desirable that there should be a common standard as to the minimum distance at which such signals should be heard in ordinary weather, in order to call the attention of the Powers to the subject, and invite experiments.

The motion was carried.

November 11.

Article 6.—*Mr. Hall* (Great Britain) proposed an amendment to Article 1, to the effect that steamers being towed were to be considered sailing-vessels, but he withdrew it in favour of an amendment to Article 6 moved by *Mr. Goodrich* (United States), which was passed.

Article 6, as amended, is as follows:—

"A sailing-ship under way and any vessel being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light mentioned in Article 3 (*a*), which she shall never carry."

Article 5.—A discussion then took place on a motion from *Mr. Goodrich* (United States) in favour of a system of auxiliary side lights, which was unanimously rejected, the *United States' Delegates* voting against his proposal; and on the proposal of *Captain Shackford* (United States) for a white range light to be carried by steamers on the after mast, visible all round the horizon.

It was supported by *Mr. Hall* (Great Britain), in a permissive form, as an experiment which it was advisable to make, and which he understood had been successfully made in the inland waters of the United States; and was carried in the following form:—

* "Such" inserted here. † One minute. ‡ Omitted.
§ Added: "rapidly for about five seconds."

"Art. 3 (*e*). All steamers when under way at night may carry on one of the after masts a white light visible all around the horizon; said light must be at a height of not less than 20 feet above the forward bright light."

Article 12.—*Captain van Steyn* (Netherlands) proposed an amendment to Article 12:—

"A steam-ship shall be provided with a whistle or siren sounded by steam, or other efficient substitute for steam," &c.; to provide for the cases of vessels propelled by electricity.

This amendment was carried.

Mr. Hall (Great Britain) suggested that provision should be made for the use of the gong in Chinese waters, which suggestion was adopted.

Article 8 (*b*).—*Captan Salvesen* (Norway) proposed an amendment as to the lights to be carried by vessels aground in a fairway, which was supported by *Mr. Hall* on the ground that a ship in such a position ought to have a distinctive light.

It was carried in the following form:—

"Art. 8. (*b*). A vessel aground in or near a fairway shall carry, where they can best be seen, two red lights in globular lanterns, one over the other, not less than 6 feet apart, in addition to the above-mentioned anchor light or lights."

Captain Shackford (United States) proposed that Atlantic steamers should use distinctive sound signals to indicate their courses east or west—which proposal he withdrew after some discussion.

Admiral Kaznakoff (Russia) offered some amendments on behalf of the Committee on Lights.

November 12.

Article 13.—The whole question of moderate speed in fog was discussed under an amendment to strike out Article 13.

Dr. Sieveking (Germany) urged that a definition should be given to the term "moderate" for the guidance of Judges and sailors; and proposed the wording, "so far moderate her speed as is consistent with her own safety, and under the circumstances of the case necessary to prevent risk of collision."

Mr. Hall (Great Britain) opposed any change in the Rule on the ground of the impossibility of embracing all possible cases; and that any attempt at precising it might afford an excuse for evading it.

Mr. Goodrich (United States) said that the strength of the law was in its flexibility, and deprecated modification.

The proposal to omit Article 13 was put and lost.

Mr. Goodrich (United States) moved an addition to Article 13, which was supported by *Mr. Hall* (Great Britain) with certain modifications, on the ground that it met the wishes of several of the Delegates as expressed in amendments, and complied with the recommendations of the Sound Signal Committee, besides making law that which practical seamen act upon.

The addition was passed in the following form:—

"A steam-vessel hearing, apparently before her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then proceed with caution until all danger of collision is over."

November 14.

Article 3.—*M. Flood* (Norway) proposed an amendment to the following effect:—

"Art. 3 (*e*). The side lights to be placed in steam-vessels not forward of the mast-head light, and in sailing-vessels as near abreast the foremast as practicable."

He urged this on the ground that it was advisable to define the place where the lights should be placed.

Mr. Hall (Great Britain) opposed the amendment, pointing out that it was practically impossible to assign to the side lights any fixed position with regard to the foremast lights, which would necessitate the alteration, and possibly even reconstruction, of many vessels.

Captain Mensing (Germany) supported the amendment. He said it was in conformity with the Report of the Committee on Lights, and it proposed no hard-and-fast rule, leaving the position of the side lights undefined so long as they were abaft the mast-head light.

The amendment was carried.

The Yeas and Nays were called for, and were as follows:—

Yeas.—Brazil, China, Chile, Denmark, Germany, Norway, Portugal, Russia, Spain, Sweden, the Netherlands, Uruguay.

Nays.—United States, Austria, Belgium, France, Great Britain, Hawaii, Italy, Japan, Mexico.

Note.—See Protocol of the 9th December. The vote was reconsidered and reversed.

Articles 12 and 13.—*M. Flood* (Norway) proposed that the words "heavy rain-storms" should be added, on the ground that there was as much difficulty in seeing during such storms as in falling snow.

The amendment was accepted by *Mr. Hall* (Great Britain), and carried.

The Conference then proceeded to the discussion of the principle of speed.

Dr. Sieveking (Germany) proposed that the wording of the Rule should be, "shall so far moderate her speed as under the circumstances of the case is necessary to prevent a collision."

This, he said, was a necessary definition, as the words of the Article as they stood at present would only imply that the speed must be reduced whether the circumstances required it or not.

Mr. Hall (Great Britain) said that the true meaning of the Rule was perfectly well known to every sailor, and that it was not necessary to modify it.

Mr. Carter (Hawaii) suggested that the addition of the words, "having careful regard to the conditions and circumstances," might reconcile the difference between the two views.

This was accepted by the Delegates from Germany and Great Britain and carried.

A long discussion took place upon an amendment proposed by the Delegates for Germany to the Rule:—

"And when it is safe and practicable and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

The amendment was put and negatived.

The Conference decided against an amendment to fix the maximum speed to be allowed to ships in fog.

Article 13 was then disposed of.

Steering and Sailing Rules.—*Mr. Hall* (Great Britain) suggested an instruction to sailors in the following words:—

"Risk of collision may, when time permits, be ascertained by carefully watching the compass bearings of an approaching vessel. If the bearings do not appreciably change such risk should be deemed to exist."

This was carried.

November 15.

Article 18.—*Mr. Hall* (Great Britain) proposed that Article 18 be amended so that the holding-on vessel shall keep her course and speed.

The object of the amendment was, he explained, to enable the vessel which has to give way to know what the other ship is going to do, so as to be able to go under her stern if necessary.

Dr. Sieveking (Germany) said that the advantage of the amendment was clear. On the other hand, it increased the difficulties of the position of the holding-on vessel; especially in case the other vessel should be obliged to cross her bow. He wanted to know the opinion of mariners.

Mr. Goodrich (United States) advocated the change as putting an end to the uncertainty which existed in the law at present.

Admiral Molyneux (Great Britain) said that the amendment would remove doubt as to what the action of a ship would be; the holding-on ship is obliged to keep her speed, and the master knows the other ship is not to cross his bow.

Captain Mensing (Germany) said that if it was not an accepted rule that the holding-on ship should keep her speed, the amendment was a necessary one. But he failed to see that there was any necessity for altering the Rule; and argued that there were cases in which the amendment would only lead to embarrassment.

Captain Saldanha de Gama (Brazil), *Commodore Monasterio* (Mexico), *Lieutenant Beaugency* (Chile), and *Captain Richard* (France) spoke in favour of the amendment.

The amendment was put to the Conference and carried.

Mr. Hall (Great Britain) then moved the first part of his amendment to Article 18, which was consequential on the amendment just passed.

The Conference agreed to it in the following form:—

"Every steam-ship which is directed by these Regulations to keep out of the way of another ship shall, on approaching her, if necessary, slacken her speed, or stop or reverse."

Mr. Hall (Great Britain) moved a new Rule, which was carried without discussion, and was as follows :—

"A ship which is required by these Rules to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other."

The Conference then considered the proposed Article 22 as drawn up in the London Committee.

Mr. Hall (Great Britain) asked leave to withdraw his proposal, and substitute for it an amendment in the present Article 23, in order to provide for special circumstances where the action of both ships is necessary to avert collision.

Mr. Hall (Great Britain) then moved the new Article 23 of the London Committee, to prevent single ships interfering with squadrons. Consideration was postponed.

November 18.

Article 5.—*Mr. Hall* (Great Britain) moved that the definition of "steam-ship" should be referred to the Collocation Committee, and the question as to the warning signal to be given by any vessel to a vessel approaching, to the Committee on Sound Signals.

Mr. Hall (Great Britain) moved Article 23 of the Rules drawn up by the London Committee as to single ships keeping out of the way of squadrons.

In order to avoid making any provision which it would be difficult for sailing-vessels to comply with (as for instance when hove-to or in a calm), the proposal was amended as follows :—

"In clear weather no vessel shall cross the bows of the leaders of any squadron of ships of war in regular formation, nor pass through the lines of such squadrons; but nothing in this Article shall excuse the ship of war from doing her best to avoid collision."

Consideration was postponed, and the Conference proceeded to the discussion of an amendment to Article 5, already agreed on in principle, which at Mr. Hall's suggestion was modified and carried in the following form :—

"A steam-vessel proceeding under sail and not using her engines shall carry in daytime, in any place of the foretop where it can best be seen, a ball or shape 2 feet in diameter."

Mr. Hall (Great Britain) explained that the object was to provide in daytime against her being mistaken for a ship under steam, owing to the steam escaping from her funnel.

Captain Malmberg (Sweden) proposed a distinctive light for a disabled vessel being towed by a sailing-vessel, but on the difficulty of finding such a light being pointed out to him, he withdrew his amendment.

Article 19.—*Mr. Goodrich* (United States) proposed an amendment to Article 19 (signals for steamers in sight of one another), making them mandatory.

Mr. Hall (Great Britain) spoke in support, on the ground that there was practically a unanimous consensus of opinion among sailors on this point.

Dr. Sieveking (Germany) pointed out the danger likely to arise from mistaking the signals. Moreover, the course to be taken is rigidly laid down by the Rules; the holding-on vessel keeps her course and speed, and it is of no importance to her to know what the other vessel is doing. The advantage of knowing is a moral one merely, and not to be compared to the disadvantage arising from misunderstanding the signals. He also pointed out the legal difficulty caused by the imposition of a new duty on the vessel which is to keep out of the way.

Mr. Goodrich (United States) said it had worked very well in the inland waters of the United States.

Mr. Hall (Great Britain) said the signals were already in constant use at sea. It is a great advantage to the holding-on vessel to know the other vessel sees her. The burden of blowing the whistle is not a very great one.

The amendment was carried.

M. van Steyn (Netherlands) proposed (as already settled in Article 12) to omit the word "steam" in "steam whistle."

The amendment was carried.

Mr. Hall (Great Britain) proposed a definition of the term "short blasts" as a blast of about one second's duration, in order that it should not be confounded with the long blasts prescribed in the Rules.

The amendment was carried.

Article 20.—*Mr. Hall* (Great Britain) proposed the amendment agreed on in the London Committee in order to obviate any doubt as to what "overtaking ship" means.

The amendment was carried.

Article 21.—*M. Flood* (Norway) proposed an amendment to the effect that vessels should reduce their speed in narrow channels.

Mr. Hall (Great Britain) pointed out that it was one of the ordinary precautions seamen were bound to take, and the amendment was withdrawn.

Article 25.—*M. Garde* (Denmark) proposed an addition to the Rule to the effect that the local lights should be additional to the lights used on the high seas, and not be inconsistent with them.

Mr. Hall (Great Britain) and *Dr. Sieveking* (Germany) pointed out that the Sovereign Powers could not be bound as was proposed.

The amendment was withdrawn.

Article 26.—*Captain van Steyn* (Netherlands) proposed an amendment, which at *Mr. Hall's* suggestion was passed in a modified form as follows: to add to Article 26 the words, "or the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments, duly registered and published to all foreign Governments [provided that the said signals are not so arranged as to cause confusion and mistake]."

Note.—The words in brackets were subsequently struck out in Collocation Committee.

Article 27.—*M. Flood* (Norway) proposed to change the minute gun to a gun fired at short intervals.

The amendment was lost.

Captain van Steyn (Netherlands) proposed an amendment as follows: "a gun or any explosive signal," &c.; which was carried on the understanding that it should be referred to the Committee on Sound Signals.

He also proposed other sound signals which were referred to the same Committee for report.

Preamble.—*Dr. Sieveking* (Germany) proposed a preamble to be inserted before the Rules to the effect that they were applicable to all vessels on the high seas and all navigable waters.

This was referred to the Collocation Committee.

New Article. (*Steamers towing.*)—*Dr. Sieveking* (Germany) proposed a new Article as follows:—

"When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing.

This was opposed by *Mr. Goodrich* (United States), and *Mr. Hall* (Great Britain); and supported by *Captain Biske* (China), and *Captain Malmberg* (Sweden).

The amendment was lost.

November 19.

Mr. Shackford (United States) proposed an amendment with reference to the distance at which sound signals should be heard, which was referred to the Collocation Committee with power to prepare a note to be appended to the Regulations.

M. Verbrugghe (Belgium) proposed an amendment for communication lights, which was referred to the Committee on General Division VIII.

Mr. Hall (Great Britain) brought forward his amendment in regard to ships of war in regular formation (Article 23 of the Rules drawn up in London, as amended), which he said was in the interest of sailing-vessels to prevent their running into danger.

It was opposed by *Captain Richard* (France), as conferring a privilege on war-vessels, and as lacking in precision; and also as likely to give rise to general discontent in cases of collision between vessels of different nationality.

Mr. Goodrich (United States) also opposed it on the ground that the mercantile marine were subordinated to war-vessels.

Captain Sampson (United States), *M. Flood* (Norway), and *Dr. Sieveking* (Germany) supported it; the latter suggesting certain modifications.

The amendment was voted on in the following form:—

"In clear weather, at sea, no vessel shall attempt to cross the bow of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the line of such squadron."

The words "at sea" were inserted to prevent any doubts in regard to inland waters. The word "unnecessarily" was inserted in deference to the Delegate from Norway. The latter part of the proposed Article was omitted as surplusage.

A division was taken, France, Spain, Sweden, the Netherlands, and the United States voting against, the remainder for.

It was therefore carried.

[*Note.*—This Rule was taken out of the Regulations and submitted as a recommendation to the Powers. See Protocol of December 30.]

Article 4. (*Towing Vessels.*)—*Captain Norcross* (United States) proposed, and *Mr. Hall* (Great Britain) accepted an amendment inserting in Rule 4, after the words "6 feet apart" the words, "and when towing more than one vessel, shall carry an additional bright white light, 6 feet above or below such light."

The amendment was carried.

Article 23. (*Dangers of Navigation.*)—*Mr. Hall* (Great Britain) proposed to insert the words "collision or other" before "danger" (which he said was in lieu of his former proposal: Article 22 of the London Committee). The object of the amendment was to impress on the minds of sailors that they must not hold on too long to the Rule prescribing that the holding-on ship must keep her speed as well as her course.

He said that after consideration the British Delegates had thought it more desirable to give this warning by explaining the general Rule than by having any special Rule.

The amendment was adopted.

Articles 7, 9, and 10.—The Conference proceeded to discuss the Report of the Committee on Lights for Small Craft.

Mr. Goodrich (United States) moved that the amendments proposed by the Committee should be adopted.

Article 7 was then read as amended by the Report:—

"Art. 7. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such a manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

"To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens."

The Article was adopted without discussion.

Article 9 (*a*) was then proposed:—

"Art. 9 (*a*). A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places, screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side, and the green light only on the starboard side."

M. Flood (Norway) proposed to strike out the words "on her station."

Mr. Goodrich (United States) made some observations suggested by the New Jersey and New York pilots, to the effect that the mast-head light should be carried screened, and only unscreened at certain times, instead of side lights as proposed by the Committee.

Sir G. Nares, on the part of the Committee on Lights for Small Craft, said that as long as the pilot-vessel was stationary or hovering about she should be given the white light; when moving as an ordinary vessel she should carry the side lights.

Mr. Goodrich (United States) proposed an amendment embodying his views, to the effect that the mast-head light and coloured side lights should be carried screened, and unscreened under certain circumstances.

But the original paragraph (*a*) as proposed by the Committee was carried.

Paragraph (*b*) was then proposed.

"(*b.*) A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the mast-head.

"Such vessels shall also not be obliged to carry the side lights proposed for larger pilot-vessels, but in this case they shall have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching a vessel to put a pilot on board, or on approaching to or being approached by a vessel, such lantern shall be

exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side."

Sir G. Nares (Great Britain) explained that it was proposed to meet the special case of pilot-vessels which had no boats.

Paragraph (*b*) was adopted.

"(*c*). A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels."

Paragraph (*c*) was adopted.

"Art. 10. Paragraph (*a*) of this Article applies only to boats and vessels propelled by sails or oars, of less than 20 tons gross tonnage, and only to such boats and vessels when they are under way. It therefore applies also to fishing-vessels of less than 20 tons gross tonnage when they are not actually engaged in fishing, but are under way.

"(*a*.) Boats and vessels of less than 20 tons gross tonnage shall not be obliged to carry the coloured side lights; but every such boat and vessel shall, if she do not carry such coloured side lights, have ready at hand a lantern with a green glass on the one side, and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

The proposed Rule was adopted without discussion.

Article 10.—"*Note.* Paragraph (*b*) of this Article applies only to vessels under steam of less than 40 tons gross tonnage, and only to such vessels when they are under way. It therefore applies also to fishing-vessels under steam of less than 40 tons gross tonnage when they are not actually engaged in fishing, but are under way.

"(*b*.) A vessel of less than 40 tons gross tonnage when under steam shall not be obliged to carry the lights prescribed for other vessels under steam, but if she does not carry such lights she shall carry on or in front of her foremast, or on or in front of her funnel, or somewhere in the fore part of the vessel where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light visible for at least 2 miles, so constructed as to show over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side; and such vessel shall further carry either (1) side lights visible for at least 1 mile, or (2) a lantern with a green glass on the one side, and a red glass the other, so constructed that it will show an unbroken green light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the starboard side, and an unbroken red light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the port side. This lantern shall be carried at not less than 3 feet below the white light before mentioned."

The proposal was adopted without discussion.

"Art. .—(*a*.) All fishing-vessels and fishing-boats of 20 tons gross tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

"(*b*.) All vessels and boats when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them measured in a line with the keel of the vessel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character and contained in lanterns of such construction as to show all round the horizon, on a dark night, with a clear atmosphere, for a distance of not less than 3 miles."

Was approved without discussion.

Captain Hubert (Netherlands) proposed an amendment to be put at the end of this paragraph as follows:—

"It is finally understood and agreed that nothing contained in this Article concerning the lights to be carried and shown by fishing-vessels and boats when actually engaged in fishing shall prevent the Government of any maritime country from making Regulations as to the lights to be carried and shown, and the signals to be made by fishing-vessels and boats actually engaged in fishing in the territorial waters of any such State, nor shall it prevent two or more Maritime States, bordering any seas or waters in which boats and vessels of these States fish in common, from mutually agreeing to express Regulations as to the lights to be carried or shown, and the signals to be made by such boats and vessels when engaged in fishing in such waters."

This was carried without discussion.

Article .—"(*c.*) *Note.* The following subsections (*c*), and (*d*) and (*e*) of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea attached to any vessel in motion.

"(*c.*) All vessels under steam when engaged in trawling, having their trawls in the water and not being stationary, in consequence of their gear getting fast to a rock or other obstruction, shall carry on or in front of the foremast, and in the same position as the white light which other steam-ships are required to carry, a lantern showing a white light ahead, a green light on the starboard side, and a red light on the port side, such lantern to be so constructed, fitted, and arranged as to show an unbroken white light over an arc of the horizon of four points of the compass, an unbroken green light over an arc of the horizon of ten points of the compass, and an unbroken red light over an arc of the horizon of ten points of the compass, and it shall be so fixed as to show the white light from right ahead to two points on the bow on each side of the vessel, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side. Such vessels shall also carry a white light in a lantern, so constructed as to show a clear and unbroken light all round the horizon, the lantern containing such white light to be carried lower than the lantern showing the green, white, and red lights, as aforesaid, so, however, that the actual distance between them shall not be less than 6 feet nor more than 12 feet."

The proposal was adopted without discussion.

"(*d.*) All sailing-vessels of 5 tons gross tonnage, and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern, so constructed as to show a clear and unbroken light all round the horizon, and also provide a sufficient supply of red pyrotechnic lights, which shall each burn for at at least thirty seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light and one of the pyrotechnic lights shall be shown on approaching to or being approached by another vessel, in sufficient time to prevent collision."

Captain Richard (France) asked what wa sthe object of the provisions as to vessels of 40 and 5 tons. Formerly vessels of 20 tons and over were distinguished.

Captain Donner (Germany) explained that it was thought necessary to arrange special lights for small craft which are not generally sea-going vessels, and for small steamers, as well as for a class of small trawlers on the Baltic which could not carry the fixed mast-head light.

Article. —"All lights mentioned above shall be visible at a distance of 2 miles.

"(*e.*) Sailing vessels of less than 5 tons gross tonnage engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall not be obliged to carry the white light mentioned in section (*d*) of this Article, but, if they do not carry such light, they shall have at hand a lantern showing a bright white light, and shall, on approaching to or being approached by another vessel, exhibit it where it can best be seen in sufficient time to prevent collision; and instead of showing a red pyrotechnic light they may show a flare-up light.

"(*f.*) All vessels and boats when employed in line fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels when engaged in fishing with drift-nets.

"(*g.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

"(*h.*) Fishing-vessels and boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, the flare-up lights shall be exhibited from the bow.

"(*i.*) Every fishing-vessel and every boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least 1 mile."

The remainder of the proposals of the Committee were carried without discussion.

It being understood by the Conference that Mr. Thomas Gray was obliged to return to England in consequence of illness,

Dr. Sieveking (Germany) proposed, and *Mr. Goodrich* (United States) seconded, a Resolution "that the thanks of the Conference be voted to Mr. Thomas Gray for the very valuable services which he has rendered to the Conference by the assistance which he has given."

The Resolution was carried unanimously.

November 20.

Dr. Sieveking (Germany) proposed an amendment (as paragraph (*k*) to Article), giving vessels fishing with drift-nets and lines the right of way over trawlers.

M. Verbrugghe (Belgium) opposed it.

After some discussion the decision was postponed.

Captain Richard (France) moved the reconsideration of Articles 7, 9, and 10, on the ground that the Conference had decided on them too hastily.

The motion was put and carried.

November 25.

Article 7.—The Report of the Committee on Lights for Small Craft was reconsidered.

Article 7 was carried without discussion.

Article 8.—In Article 8 no alteration was proposed.

Article 9 (*a*).—*Mr. Goodrich* (United States) suggested certain verbal alterations.

Captain Richard (France) pointed out that in many countries there was no distinction made between the lights for fishing-boats and pilot-boats. Was it important to make such a distinction?

Captain Donner (Germany) explained that section (*b*) was introduced at the request of the Delegate for Norway, to meet the requirements of his own pilot-boats.

Mr. Hall (Great Britain) suggested that some form of words should be introduced by the Collocation Committee to clear up any possibility of doubt that a vessel can use her ordinary side lights instead of other special lights; the white light to be shown first.

This was agreed to.

Article 9 (*a*), with this provision, was carried.

Article 9 (*b*).—*M. Flood* (Norway) proposed to omit it on the ground of the inconvenience and uselessness of the coloured light.

Dr. Sieveking (Germany) said that he hoped the Conference would decide on the question of principle as to whether these small boats should have the right of way or not.

Mr. Hall (Great Britain) said that the question of the sole use of the white light on small boats had been carefully considered by the Committee. If the small boats were absolved from the duty of carrying the coloured lights, difficulties would at once be encountered in regard to the Steering and Sailing Rules.

Captain Donner (Germany), who had voted in the minority in the Committee, said that he and his colleagues were now ready to support the proposed Rule in consideration of the difficulty which would arise in the Sailing Rules if the Rule were not passed.

Mr. Hall (Great Britain) moved an amendment upon M. Flood's amendment to the effect that "it is not desirable to alter subsection (*b*)."

This was carried.

Article 9 (*c*) was carried without discussion.

Article 10 (*a*) was carried without discussion.

Article 10 (*b*).—*Captain Richard* (France) objected to fixing the limit of 40 tons. He preferred 20.

Captain Donner (Germany) on behalf of the Committee explained the reasons which had led them to agree on the Rule.

Paragraph (*b*) was adopted.

Article (*a*) was adopted without discussion.

Article (*b*) was also adopted without discussion.

Article (*c*).—*Captain Richard* (France) objected to the use of the lantern showing the three lights, and to the division of trawling vessels into two categories. He moved to refer the Article back to the Committee.

M. Verbrugghe (Belgium) said sailing trawlers and steam trawlers were under different conditions.

Captain Donner (Germany) agreed.

Mr. Hall (Great Britain) said the light mentioned had been used since 1884.

Sir G. Nares (Great Britain) said it was of very great importance to know by the light that a vessel had a net attached to her. It was difficult to choose any other light.

Captain Richard's motion was lost, and the Rule carried.

November 26.

Article .—The paragraph excepting all territorial waters, if so desired by any Power, from the operation of the Rules for lights on fishing-vessels, and allowing two or more States to make their own arrangements for bordering seas, was then discussed.

Captain Hubert (Netherlands) said the Convention to be held at the Hague had been postponed till after the Conference.

Mr. Goodrich (United States) opposed the insertion of the paragraph as conferring the same powers as Article 25.

Dr. Sieveking (Germany) said any Government had the right of altering the Rules, which did not come into force by Treaty. There was nothing in the way of several Powers agreeing to adopt certain Rules in certain seas. The proviso was already well understood.

Mr. Hall (Great Britain) agreed that the amendment was superfluous.

Captain Richard (France) hoped the amendment would be withdrawn.

Captain Hubert withdrew it.

Article (*d*).—*Captain Settembrini* (Italy) moved an amendment for omitting the red pyrotechnic lights on sailing-trawlers of 5 tons or upwards.

He said the burden of providing these lights was too great for the fishermen of the Mediterranean.

Mr. Hall (Great Britain) suggested that the exception might be made by local rules.

Captain Richard (France) supported Captain Settembrini.

The amendment was carried by a vote of 15 to 8. In the minority voted: Belgium, Germany, Great Britain, Guatemala, Russia, Sweden, the Netherlands, United States.

Mr. Hall (Great Britain) pointed out that the result of the vote was that a sailing-trawler up to 50 tons was not bound to carry anything but a white light.

Mr. Goodrich (United States) proposed the reconsideration of the question.

The motion was carried, and

Mr. Carter (Hawaii) moved to substitute "7" tons for "5" tons. This was carried, and the amended paragraph (*d*) was substituted for Captain Settembrini's amendment, leaving thus the pyrotechnic lights unaltered, but changing the limit from 5 to 7 tons.

Paragraph (*e*), as amended in consequence of the previous amendment (5 to 7 tons), was then passed.

Paragraphs (*f*), (*g*), and (*h*) were carried without discussion.

Article (*i*).—*Mr. Hall* (Great Britain) explained that this paragraph was inserted because the fishermen have an idea that the other Rules did not apply to them.

Article 10 and Article .—*Captain Hubert* (Netherlands) moved to except from these Articles regions where their enforcement would prove too difficult in consequence of local conditions.

Dr. Sieveking (Germany) said that this might be left to the Governments. Foreign Governments could be informed of any changes made in the Rules. A note could be appended to the Rules to that effect.

Captan Hubert withdrew his amendment on that understanding.

Article .—*Dr. Sieveking* (Germany) moved an amendment that sailing-vessels should keep out of the way of sailing-vessels engaged in fishing. He said that he had abandoned his former amendment as to trawlers and fishing-vessels, which question, he said, should be left to the Hague Convention.

After some suggestions from *Mr. Hall* (Great Britain) and *Captain Richard* (France), it was carried in the following form:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with their nets, lines, or trawls. In daytime such vessels or boats, when under way, shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats."

The Conference considered Resolutions proposed on behalf of the Lights Committee to the effect:—

1. That the power of lights should be expressed by referring them to one standard.
2. That the minimum power only should be fixed.
3. Incandescent and not arc lights to be used.
4. That the minimum power of light must be found at every point where the light is visible.
5. Whether the ship is heeled over or not.

These Resolutions were adopted by the Conference on the understanding that they were to be appended as a note to the Report.

The 6th Resolution was adopted after considerable discussion as follows:—

"That the colouring of the glasses by which the colour of the light is to be produced shall be so chosen that, if possible, the red light shall have no admixture of green, nor the

green light of red rays, and that both colours can be readily and unmistakably distinguished."

7. That no detailed description of lamps should be internationally adopted.

8. The Regulations should be better enforced.

On *Mr. Hall's* (Great Britain) proposal, the following Resolution was also carried:—

"The above Resolutions of the Committee on Lights, appointed by this Conference, are recommended to the attention of the Powers represented in this Conference."

December 2.

Article 3.—*Captain Shackford* (United States) proposed the optional use of range lights.

Mr. Hall (Great Britain) supported the proposal in regard to the evidence which had been given of the great use of the range lights in inland American waters.

It was carried as follows:—

"All steamers under way may carry an additional white light, similar to the light mentioned in Article 3 (*a*). These lights must be so placed in line with the keel that one must be at least 15 feet higher than the other, and should be in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights must be less than the horizontal distance."

The Conference refused to adopt an amendment moved by the Spanish Delegates, that all vessels under way should keep out of the way of coupled steamers trawling.

The Additional Report of the Committee on Sound Signals was then considered.

On the reading of the recommendation with regard to pilot signals,

Mr. Hall (Great Britain) moved that the question be referred to the Code Signal Committee, and not embodied in the Rules.

After some discussion on the nature of the signal, the Resolution was passed.

Article 10 (*a*).—The proposed Article 10 (*a*) was read and carried:—

"In fog, mist, falling snow, or heavy rain-storms, a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with her lines out, shall at intervals of not more than one minute make a blast with her fog-horn, followed by ringing her bell."

Article 12 (paragraph 1).—The new Article leaves out "a bellows or other" before "mechanical means," and restricts the use of the gong to Chinese waters, as the gong is frequently used on board light-ships in European waters.

Captain Mensing (Germany) wished the gong to be permissive on all vessels.

The wording finally passed was as follows:—

"Art. 12.—A steam-ship shall be provided with a whistle or siren, sounded by steam or other efficient substitute for steam, so placed that the sound may not be intercepted by any obstructions, with an efficient fog-horn to be sounded by mechanical means, and also with an efficient bell. A sailing-vessel of 20 tons gross tonnage and upwards shall be provided with a similar fog-horn and bell.

"*Note.*—In all cases where the Regulations require a bell to be used, a drum may be substituted on board Turkish vessels, and a gong where such articles are commonly used on board small sea-going vessels."

Article 12 (paragraph 2).—The second paragraph of Article 12 was carried as proposed by the Committee:—

"Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to be provided with a mechanical fog-horn; but if not so provided, they shall make with any other instrument an efficient sound signal at intervals of not less than one minute."

Article 12. (*a*) and (*b*).—After some discussion, in which the importance of avoiding any confusion with the short blast helm-signals was pointed out, the proposals of the Committee were carried in the following modified form:—

"Art. 12 (*a*.) A steam-vessel under way shall make with her whistle or siren, at intervals of not more than two minutes, a prolongedblast of from four to six seconds' duration.

"(*b*.) A steam-vessel not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two such prolonged blasts with an interval of about one second between them.

No change was proposed in section (*c*).

Captain Shackford (United States) said that one second was too short a time for a blast on a fog-horn.

Sir G. Nares (Great Britain), on the part of the Sound Signal Committee, pointed out that the word "short" was not inserted in this section.

Section (*e*) was proposed as follows :—

"A steam-vessel, when her engines are going full speed astern, shall sound on her whistle three short blasts."

Captain Richard (France) objected to this Rule in cases where the vessels were not in sight of one another; and *Captain Mensing* (Germany) supported him.

The question was voted on, and the amendment was negatived by 15 to 5; Austria, Denmark, Italy, the Netherlands, and the United States voting in the minority.

A long discussion took place over paragraph (*f*), giving a special signal to vessels at anchor at sea in a fairway. It was decided by 12 to 8 that the principle should be adopted, and referred to the Collocation Committee.

France, Germany, Belgium, China, Chile, Russia, Spain, and Sweden voted in the minority.

December 3.

Article 4.—*Captain Salvesen* (Norway) moved that Article 4 be reconsidered so as to allow for the length of the tow.

Mr. Hall (Great Britain) supported the proposal, as according to the present wording a tug would be obliged to hoist a third light if she took even a second barge in tow.

After a long discussion as to the wording of the amendment, the Conference agreed to the following addition to the Rule :—

To add after the words "such lights" the following: "Provided that the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet."

The amendment of *M. Seoane* (Spain), proposing that all vessels under way should get out of the way of coupled steamers trawling, was discussed.

It was opposed by *Mr. Hall* (Great Britain) on the ground that in adopting the amendment the Conference would be running counter to the general principle of the Rules of the Road at Sea, and that the case was not sufficiently strong to justify such an exception.

The amendment was voted on, and lost by 14 to 9, Belgium, Chile, France, Italy, Mexico, Portugal, Spain, Siam, and Venezuela voting in the minority.

Article 12 (*a*). (*Sound Signals for Tows.*)—On the amendment of the Committee on Sound Signals as to sound signals for tows, considerable differences of opinion arose.

It was resolved, finally, to reconsider the question whether a sound signal was to be adopted for a sailing-vessel towing.

Mr. Hall (Great Britain) stated that he would vote against any special signal, in regard to the facts that the occasions are rare when such signals are wanted, and to the difficulty of finding such a signal at all.

The Conference decided in that sense.

Captain Mensing (Germany) moved that an optional signal should be introduced for use on sailing-vessels.

Seven voted in the affirmative, and 12 in the negative. Belgium, Denmark, Germany, Hawaii, Italy, Japan, and Holland voted in the minority.

Captain Richard (France), with the view to separate the question of a steam-vessel towing from a sailing-vessel towing, proposed the following :—

"A steam-vessel when towing shall at intervals of not more than two minutes sound upon her whistle, siren, or fog-horn three blasts in succession, viz., one prolonged blast followed by two short ones."

This was adopted.

He also moved to reconsider the question of giving sailing-vessels towing a signal.

This was opposed by Captain Mensing (Germany), and the discussion was adjourned. (See 4th December.)

December 4.

The discussion on Captain Richard's amendment (to restore the words "a sailing-vessel") was proceeded with.

Sir G. Nares explained the position of the Committee, and stated his reasons for supporting the amendment.

Captain Donner (Germany) stated that a sailing-ship often took another in tow in the North Sea.

Mr. Hall (Great Britain) said that such exceptional cases might be dealt with by local Rules. He adhered to his objection formerly expressed.

Mr. Carter (Hawaii) said the Rule would be important in the Pacific, where steam-tugs were rare.

Captain Malmberg (Sweden) asked if the signal proposed would override the signals relating to the wind under Article 14, or be additional to them.

It was explained that the signal should override the signals provided for in Article 14.

A vote was taken:—

Eighteen were in the affirmative, 5 in the negative. Belgium, Germany, Great Britain, Mexico, and Russia composed the minority.

Article 12 (*g*).—*Mr. Hall* (Great Britain) proposed to add at the end of the clause the following:—

"When more than one vessel is being towed, each vessel towed shall sound this signal on hearing the sound signal of an approaching vessel."

Captain Richard (France) opposed the addition.

Sir G. Nares (Great Britain), on behalf of the Committee, moved an amendment:—

"A vessel towing shall at intervals of not more than two minutes, and the vessel towed, may sound three blasts in succession, viz., one prolonged blast followed by two short blasts."

The object was, he explained, when several vessels were being towed, to enable each one, if necessary, to give a signal showing that there was yet another vessel behind. It was not proposed that each vessel should repeat the signal the whole time the fog lasted.

A vote was taken, and the paragraph was passed with one dissentient vote (France).

Captain Norcross (United States) moved that the form of signal should be changed.

The motion was lost.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, moved that the signals used by towing-vessels should be in lieu of those provided for in sections (*a*), (*b*), and (*c*,) so that the steamer towing shall not be obliged to make her one blast, and the vessel towed shall not be obliged to make her sailing-vessel's signal.

This was carried.

Mr. Hall (Great Britain) pointed out that the vessel towed was in the category of a sailing-vessel, and therefore the signal must be given on the fog-horn.

The suggestion was adopted.

The whole paragraph (*g*) was then carried as follows:—

"A steam-vessel and a sailing-vessel, when towing, shall, instead of the signals provided under sections (*a*) and (*c*) of this Article, at intervals of not more than two minutes sound on the whistle, siren, or fog-horn three blasts in succession, viz., one prolonged blast followed by two short blasts.

A vessel towed may also give this signal on her fog-horn, but not on her whistle or siren.

Article 12 (*h*).—*Sir G. Nares* (Great Britain) then proposed a signal to indicate, "The way is off my ship, you may feel your way past me."

Captain Malmberg (Sweden) opposed it, as likely to entice steamers to draw too near each other.

Captain Mensing (Germany) also opposed it.

Captain Richard (France) thought the Rule would be better in the Signal Code. Only strictly indispensable sound signals should be inserted in the Rules.

Mr. Hall (Great Britain) said he would vote for the signal, which he thought a good one, if optional. A strong representation had been made by the Board of Trade, and a strong desire for it expressed by sailors. It would be buried in the International Code Signal Book.

The question was put, and carried by 15 to 4 in favour of the signal.

France, Germany, Spain, and Sweden voted in the minority.

Paragraph (*h*) was then carried as follows:—

"A steam-vessel wishing to indicate to another 'The way is off my ship, you may feel your way past me,' may sound on her whistle or siren three blasts, viz., short, long, short, with intervals of about one second between them."

Article 12 (*i*).—*Captain Mensing* (Germany) proposed a special signal for vessels not under command and vessels laying telegraph cables.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, opposed any increase in the number of signals.

Mr. Hall (Great Britain) said he would vote for a signal, but in the hope that one of the existing signals could be utilized.

Captain Richard (France) said the signal was as necessary, and more so, than the last voted on.

The Conference decided by 15 to 4 that a signal should be given. Austria-Hungary, China, Hawaii, and Italy voted in the minority.

The duty of selecting the signal was referred to the Sound Signal Committee.

December 5.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, presented a scheme for the two fog signals for a vessel not under command and a vessel laying or picking up a telegraph cable.

The first proposal made was as follows :—

"A ship under way which is unable to get out of the way of an approaching vessel, through being not under command, or unable to manœuvre as required by these Regulations, shall, on hearing the fog signal of an approaching vessel, sound on her whistle, siren, or fog-horn four short blasts."

It was carried, with the addition of the words "in answer" after "sound," in order to indicate that the signal is to be an answer to each signal sounded by an approaching vessel.

The second proposal was as follows :—

"A ship employed in laying or picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer on her whistle, siren, or fog-horn three prolonged blasts in succession."

The proposal was carried.

The question of pilot signals was passed over in accordance with a previous Resolution, deciding that the Conference should not discuss them under the Rules of the Road, but should relegate the subject to Committee No. 2, dealing with General Division VIII.

Article 19.—*Sir G. Nares* (Great Britain), on the part of the Sound Signal Committee, proposed to substitute, "My engines are going full speed astern," for the former wording, "I am going full speed astern."

The question was carried.

Article .—On behalf of the Fog Signal Committee, *Sir G. Nares* (Great Britain) moved an amendment on an Article already carried.

After some discussion as to the duration of a flare-up light and other questions, the Article was carried as follows :—

"Art. .—Every ship may, if necessary, in order to attract attention to the lights which she is by these Regulations required to carry, show a flare-up light, or use any detonating signal that cannot be mistaken for a distress signal.

Mr. Goodrich (United States) moved to insert, after the word "attention," the words, "to prevent risk of collision," but the amendment was lost.

Article 27.—*Sir G. Nares* (Great Britain) moved an amendment to the distress signals during day : to add—

"4. Rockets or shells bursting in the air with a loud report, and throwing stars of any colour or description, fired one at a time, at short intervals.

"5. A continuous sounding with any fog signal apparatus."

These signals were adopted by the Sound Signal Committee, as referred to them by the Conference.

The Conference passed the additions proposed.

Sir G. Nares (Great Britain) then moved an additional distress signal for the night :—

"4. A continuous sounding with any fog signal apparatus," which was also carried.

The question was then discussed as to whether a pilot-vessel wishing to offer her pilotage services should be given a special fog signal for that purpose.

Sir G. Nares (Great Britain), on behalf of the Fog Signal Committee, advocated such a special signal.

A division was taken : 11 voted for and 9 against. France, Germany, Great Britain, Hawaii, Mexico, Portugal, Russia, Sweden, and the Netherlands voted in the minority.

The Conference also decided that a signal should be found for a vessel wanting a pilot.

Mr. Hall then moved that Committee No. 2 be requested to report as to the nature of the signals for pilots ; such signals having no connection with the Rules of the Road.

The motion was carried.

December 9.

On the motion of *Mr. Goodrich* (United States), the Conference decided unanimously against the adoption of course-indicating sound signals in foggy or thick weather.

An intercalatory Report from the Collocation Committee was read recommending the reconsideration of M. Flood's (Norway) amendment to Article 3, passed November 14, as to the position of the side lights.

The Conference determined to reconsider the question, and referred it to the Committee on Lights.

The Report of the Committee upon the subject of a uniform load mark was read.

Mr. Hall (Great Britain) stated that though most anxious that the matter should become a subject for international agreement, yet, having regard to the fact that the Committee reported it as not ripe for consideration by the Conference, he would bow to the decision of the Committee.

The Report of the Committee was adopted unanimously.

The Report of the Committee upon Division XIII (the establishment of a permanent International Marine Commission) was then read.

The minority Report of M. August Schneider (Denmark) was also read.

M. Schneider hoped that the question would be left open, so that any Government, when the time was ripe, could launch the plan again.

M. Flood (Norway) supported this proposal.

Dr. Sieveking (Germany) opposed it. He pointed out the impracticable nature of the scheme for a Maritime Commission, and thought that the wording of the Report was sufficient.

M. Garde (Denmark) said that he had no instructions from his Government, but thought that much good would result from the establishment of a Bureau which should lay before every Marine Conference particular proposals submitted by private persons.

Mr. Hall (Great Britain, Chairman of the Committee) pointed out that such a Bureau did not come under the consideration of the Committee.

The Report of the Committee was adopted.

December 12.

M. Flood (Norway) proposed his Resolution recommending to the Powers the advisability of a Bureau of Maritime Information.

M. Garde (Denmark) explained that what was wanted in his country was not a permanent Commission, but a link or medium between the different countries where proposals could be sent from any country which does not have a regular Board of Trade. He instanced the Telegraphic Convention of 1885, by which a Central Institution was established.

Mr. Hall (Great Britain, Chairman of the Committee on Division XIII) opposed the proposal, which amounted, he said, to a demand on the part of the Powers which had no Board of Trade for an international one, of which Great Britain should pay 65 per cent. of the expenses. The Powers could consider the question, if they chose, without any recommendation from the Conference. The Scandinavian Powers, if they desired it, could form a Bureau of their own.

Dr. Sieveking (Germany) said the German Government was opposed to the scheme. He saw no real difference between the Bureau and the Commission against which the Committee had reported. Most Governments had their Boards of Trade, and discussed matters of common interest internationally. The Bureau would only result in loss of time.

Captain Sampson (United States) saw a great difference between a Commission and a Bureau. He instanced the International Bureau of Weights and Measures. The Committee on Buoyage could testify to the expense caused by the want of a uniform system. A Bureau might put an end to such diversity.

The Resolution was put in the following words :—

"That the Conference recommend that the advisability of a Bureau of Maritime Information should be considered by the Governments of the maritime nations."

Seven voted in the affirmative and 12 in the negative. Denmark, Hawaii, Japan, Norway, Siam, the Netherlands, and the United States voted in the minority.

December 16.

Article 3.—*M. Flood's* (Norway) amendment as to the position of the side lights was reconsidered.

A Report of the Committee on Lights was read, recommending that the Rule should stand as it was, except as regards sailing-vessels, provided it was adopted universally.

Mr. Hall (Great Britain) pointed out that great expense would be incurred by existing steam-vessels, some of which would have to be reconstructed. As regards sailing-vessels, the Report of the Committee was conclusively against the proposal.

M. Flood reiterated his arguments.

Dr. Sieveking said that, in view of the objections of Great Britain, he would not vote

for the insertion of the Rule into the Regulations. A recommendation might be made in a similar sense and appended to the Rules.

M. Flood's amendment was lost.

Dr. Sieveking (Germany) moved a Resolution—

"That it is approved by the Conference, and recommended to the attention of the Powers represented thereat, that green and red side lights should be placed in steam-vessels not forward of the masthead light, and that this Resolution be inserted in Appendix 3 to the Report of the Committee on Collocation of the Rules."

The Resolution was adopted.

The Report of the Committee on Life-saving Systems and Devices was read.

The several Resolutions proposed in the Report were put to the Conference.

Resolution 1. (See Protocol, 20th December.)

Resolutions 2 and 3 were carried.

Resolution No. 4 was amended, on *Mr. Hall's* (Great Britain) proposal, by the substitution of the word "uniform" for "a set of," so as to read, "prepare uniform instructions," and carried in that form.

In the fourth paragraph of the Resolution the word "pyrotechnic" was inserted on *Captain Mensing's* (Germany) proposal, so as to read "blue pyrotechnic light."

The fifth Resolution was carried without change, and the Report adopted in its entirety by the Conference.

The Report of the Committee on General Divisions II, IV, and VI was read and considered.

The Report on General Division II was adopted.

In the Report on General Division IV, *Captain Richard* (France) moved that the smallest letters of the name of a ship should not be less that 8 inches high.

The proposal was lost by 9 votes to 10. Belgium, China, Chile, France, Russia, Spain, Sweden, Siam, and the Netherlands voted in the minority.

The Conference adopted the first proposition in the Report of the Committee on Division IV.

After some discussion as to the character to be used in the designation of the draught, the second proposition was carried.

The Report of the Committee in General Division VI was read.

Captain Richard (France) objected to the imposition of tests for colour-blindness.

Captain Sampson (United States) pointed out that the Committee had only recommended that each Government should provide a place where men and boys who propose to go to sea could have their eyesight tested. It was a voluntary matter.

Mr. Hall (Great Britain) agreed that it would be impossible to make the recommendation into a Rule.

Captain Richard (France) said he only desired guarantees of this sort for master mariners.

Captain Sampson (United States) agreed, and quoted instances showing the danger of not having such tests.

Mr. Hall (Great Britain) said that if such examinations were instituted it would prevent men from going to sea who could never rise to the grade of an officer.

Captain Richard (France) moved to strike out the last three lines of paragraph No. 1 ("and no man or boy should be permitted to serve on board any vessel in the capacity of seaman, or where he will have to stand look-out, whose visual power is below one-half normal, or who is red or green colour-blind").

The motion was lost. France, Germany, Mexico, Russia, and Siam voting in the minority.

Paragraph 2 was adopted, *Captain Richard* (France) suggesting the addition of the words, "or as a pilot."

The third paragraph was adopted without alteration.

The Report as amended was adopted.

The Report of Committee No. 2, Division VII (Ocean Laws), was then read.

After some discussion as to the precautions to be taken by fishermen on the Banks, the Report was adopted.

The Report of Committee No. 2 on Division VIII (Night Signals for communicating Information at Sea) was read and adopted.

December 18.

The Report of the Collocation Committee was read.

An amendment put by *Captain Shackford* (United States) to strike out "two" and substitute "three" before miles in the last line of Article 2 (*b*) and (*c*) was lost.

Dr. Sieveking (Germany) moved an amendment in Article 2 (*d*) to insert the words, "more than half a point," after the word "seen."

Mr. Hall (Great Britain) moved, in lieu of this amendment, to insert as a note to Appendix (B) the following:—

"Side lights should be so screened as to prevent the most convergent rays of the lights being seen more than half a point across the bows."

Captain Salvesen (Norway) moved that the Conference adopt the Rules of the Board of Trade as to the screening of side lights.

Mr. Hall's amendment was carried, after a long discussion, by 16 to 3. Austria, Russia, and the United States voted in the minority.

Dr. Sieveking (Germany) moved in Article 4 (*a*), instead of the words, "in the same position," to insert the words, "at the same height," and after the words, "Article 2 (*a*)," nsert the words "where they can best be seen."

Mr. Hall (Great Britain) supported the amendment on the grounds that it might be difficult for a vessel out of command to hoist a light in front of the foremast, or it might be desirable to hoist it aft.

It was carried by 10 votes to 9. Brazil, Belgium, China, Chile, France, Mexico, Sweden, Siam, and the Netherlands voted in the minority.

Captain Mensing (Germany) proposed in Article 4 (*a*) to strike out the words, "in globular lanterns" and insert, after "visible," the words, "all around the horizon."

Mr. Hall (Great Britain) supported the change, on the ground that the best lanterns were flat at top and bottom.

The amendment was carried.

The same change was made in Article 4 (*b*).

Dr. Sieveking (Germany) moved an amendment in Article 7, 1 (*b*), as to the position of the lanterns, which was lost.

December 19.

Mr. Goodrich (United States) moved an amendment, which was originally proposed by the British Delegates, to Article 22:—

"When, in consequence of thick weather or other causes, two ships find themselves so close to each other as to make it doubtful whether by the action of one ship alone a collision can be avoided, the ship which by the above Article is directed to keep her course and speed shall also take such action as will best avoid collision."

He said he was acting by the advice of a distinguished New York Judge. He thought it was necessary to place this provision so as to catch the mariner's eye immediately after the Rule which provides that the holding-on ship should keep her course and speed.

Mr. Hall (Great Britain) pointed out that the proposed amendment had been withdrawn in deference to the wishes of the Conference, and other words introduced into the general Rule to make it apply to cases of collision.

Dr. Sieveking (Germany) strongly opposed the amendment, on the ground that it made the application of the new Rule as to keeping speed doubtful. He said that if the amendment were accepted it would entail the reconsideration of all the Rules.

Mr. Hall (Great Britain) said that he would bow to the former decision of the Conference, and vote against reconsideration. The whole matter had been most carefully discussed.

On the vote for reconsideration being taken, the United States were in a minority of one.

Mr. Hall (Great Britain) moved an amendment to Article 7 (*c*) as follows:—

"Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it must be carried above the combined lantern mentioned in (*b*)."

This was to meet the case of boats which could not conveniently have masts.

It was carried.

Dr. Sieveking (Germany) moved to add to Articles 7 and 9 the words, "The vessels referred to in this Article shall also not be obliged to carry the light prescribed by Article 4 (*a*) and Article 11, last paragraph."

This was to correct an oversight, as it was not intended that small craft should carry the out-of-command lights and lights for vessels aground.

It was carried.

Captain Malmberg (Sweden) proposed an amendment, which was carried in the folowing modified form:—

Article 8. At the beginning insert the word "near" before "approach."

Dr. Sieveking (Germany) proposed an amendment which, at *Mr. Hall's* suggestion, was modified and carried in the following form:—

Article 8, paragraph 2. Instead of the words "have at hand temporarily," insert the words, "shall have their side lights lighted ready for use, and shall flash or show them at short intervals."

Paragraph 3 to be struck out.

It was carried.

Dr Sieveking (Germany) proposed in Article 9, (*b*) 1, to read, instead of "four" points abaft the beam, "two" points, in order that the light should show in the same way as the side lights.

The amendment was carried.

Captain Settembrini (Italy) moved an amendment, which he modified at *Mr. Hall's* suggestion, and which was passed in the following form:—

"In the Mediterranean Sea, all vessels referred to in subsection (*b*) 2 may show the flare-up light instead of the pyrotechnic light."

Dr. Sieveking (Germany) moved to insert in Article 2, instead of the words, "in a globular lantern so constructed," the words, "of such a character."

This was adopted.

December 20.

Dr. Sieveking (Germany) proposed in Article 21, instead of the words "and speed," to insert the words, "and where one of two crossing vessels is to keep out of the way the other shall keep her course and speed."

He said that the Rule as it stood was applicable to overtaken vessels, and that he desired to except them from the Rule.

Mr. Hall (Great Britain) opposed the change. What was wanted was a general rule which would clear up the doubt as to the meaning of the phrase "keep your course." He was against exceptions.

Mr. Goodrich (United States) pointed out that the addition of the words "and collision" in Rule 28 covered exceptional cases in which strict adherence to Rule 21 would be dangerous.

A vote was taken, and resulted in 2 votes for and 16 against; Germany and Siam voting in the minority.

Captan Richard (France) moved an amendment to eliminate Article 27 from the Regulations, and to add it to Appendix (B) of the Report as a Resolution recommended to the consideration of the Powers.

He said that the rule as to ships of war in line might lead to international difficulties.

Mr. Hall acceded to the proposal, which was adopted.

Captain Sampson (United States) proposed to omit the words, "and collision," after "navigation," in Article 28.

Mr. Hall pointed out that the words had been inserted in order to point out to the sailor that the holding-on vessel was bound to do what she could to prevent collision.

Ten voted in the affirmative, and 10 in the negative, so the amendment was not carried. Brazil, Chile, Denmark, France, Germany, Russia, Spain, Siam, and the Netherlands voted with the United States.

Various verbal corrections were proposed and considered, and the discussion on the Rules was brought to an end.

Mr. Goodrich (United States) proposed to insert in the Rules a provision as to the duty of masters to afford assistance in case of collision, taken from the English Act.

Captain Richard (France) objected to its insertion in the Rules, as it required legislative sanction.

Mr. Goodrich moved that the Resolution should be annexed to the Rules in the Appendix.

It was passed in the following form:—

"In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which, or to which, she is bound."

December 30.

Captain Richard (France) proposed that a Final Act be prepared, to be signed by the President, showing the Resolutions adopted by the Conference.

The proposal was carried.

The Report of General Division IX was adopted.

The Report of General Division XII was also adopted after some discussion as to the rules as to buoyage in American waters.

Mr. Goodrich (United States) proposed that the Final Report of the Collocation Committee be adopted.

Mr. Verney (Siam) desired further consideration of the Rules as drawn up, on the ground that they needed more careful editing.

Mr. Goodrich's motion was, however, adopted, and the Rules, as amended, carried

December 31.

The Reports on General Divisions X and XI were read and adopted.

Mr Hall proposed, and *Admiral Kaznakoff* (Russia) seconded, a vote of thanks to the President, Rear-Admiral Franklin, which was carried.

Dr. Sieveking (Germany) proposed, and *Captain Richard* (France) seconded, a vote of thanks to the Secretaries.

The Conference was then declared at an end.

Appended is a copy of the Rules of the Road as finally adopted, and of the Resolutions connected therewith.

The Resolutions based upon the Reports will be found under Inclosure 16.

Appendix (A.)

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Preliminary.

THESE Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "steam-vessel" shall include any vessel propelled by machinery.

A vessel is "under way" within the meaning of these Rules, when she is not at anchor, or made fast to the shore, or aground.

Rules concerning Lights, &c.

The word "visible" in these Rules when applied to lights shall mean visible on a dark night, with a clear atmosphere.

Article 1. The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry—

(*a.*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(*b.*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c.*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e.*) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow measuring from the stern of the towing-vessel to the stern of the last vessel towed exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light mentioned in Article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam,

Art. 4. (*a.*) A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (*a*), where they can best be seen, and if a steam-vessel, in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen two black balls or shapes, each 2 feet in diameter.

(*b.*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (*a*), and if a steam-vessel, in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command, and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art. 5. A sailing-vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails, of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned in Article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:—

1. Steam-vessels of less than 40 tons shall carry:

(*a.*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (*a*), and of such a character as to be visible at a distance of at least 2 miles.

(*b.*) Green and red side-lights constructed and fixed as prescribed in Article 2 (*b*) and (*c*), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*) and Article 11, last paragraph.

Art. 8. Pilot-vessels, when engaged on their station on pilotage duty, shall not show the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot-vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing-vessels and fishing-boats, when under way and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a.*) Vessels and boats when fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(*b.*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (*a*) a tricoloured lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards shall carry a white light in a lantern so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision (*b*) 1 and 2 shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision (*b*) 2 of this Article, but if they do not carry such light they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels, be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision (*b*) 2, or in lieu thereof a flare-up light.

(*c.*) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(*d.*) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after-part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing-gear, they shall be exhibited from the bow.

(*e.*) Every fishing-vessel and every boat when at an anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*f.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog signal prescribed for a vessel at anchor respectively. (See Article 15 (*d*), (*e*), and last paragraph.)

(*g.*) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than 1 minute, make a blast; if steam-vessels, with the whistle or siren, and if sailing vessels, with the fog-horn, each blast to be followed by ringing the bell.

(*h.*) Sailing-vessels or boats fishing with nets or lines, or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket, or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*) and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a lantern so constructed as to show a clear, uniform, and unbroken light, visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry, in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by Article 4 (*a*).

Art. 12. Every vessel may, if necessary, in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light, or use any detonating signal that cannot be mistaken for a distress signal.

Art. 13. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station- and signal-lights for two or more ships of war, or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Art. 15. All signals prescribed by this Article for vessels under way shall be given:

1. By "steam-vessels," on the whistle or siren.
2. By "sailing-vessels and vessels towed," on the fog-horn.

The words "prolonged blast" used in this Article shall mean a blast of from four to six seconds' duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam, or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(*a.*) A steam-vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between them

(*c.*) A sailing-vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack, one blast, when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

(*d.*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

(*e.*) A vessel at anchor at sea, when not in ordinary anchorage ground, and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than two minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing-vessel, at intervals of not more than one minute, two blasts with her fog-horn, followed by ringing her bell.

(*f.*) A vessel when towing shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this Article, at intervals of not more than two minutes, sound three blasts in succession, viz., one prolonged blast followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

(*g.*) A steam-vessel wishing to indicate to another, "The way is off my vessel, you may feel your way past me," may sound three blasts in succession, viz., short, long, short, with intervals of about one second between them.

(*h.*) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer three prolonged blasts in succession.

(*i.*) A vessel under way which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer four short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than one minute.

Speed of Ships to be Moderate in Fog, &c.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass-bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

* In all cases where the Rules require bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

Art. 17. When two sailing-vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, viz.: –

(*a.*) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(*b.*) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(*e.*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these Rules to keep out of the way of another vessel, shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Art. 24. Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in Sight of one another.

Art. 28. The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz.:—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern.

No Vessel, under any circumstances, to neglect proper Precautions.

Art. 29. Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 30. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Distress Signals.

Art. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz.:—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by N C;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;
4. Rockets or shells as prescribed below for use at night;
5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, bursting in the air with a loud report and throwing stars of any colour or description, fired one at a time at short intervals;
4. A continuous sounding with any fog-signal apparatus.

Appendix (B.)

The following Resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat:—

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.
2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.
3. The use of incandescent lamps should be permitted; the use of arc lights at present should be excluded for all purposes other than signalling and searching.
4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible, after the lamp has been fitted with proper screens.
5. The lanterns should be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.
6. The colour of the glasses by which the colouring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished.
7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.
8. The side-lights should be so screened as to prevent the most convergent rays of the lights being seen across the bows more than half a point.
9. The side-lights should be placed in steam-vessels not forward of the mast-head light.
10. To meet the number of complaints as to the absence of proper lights on sailing-vessels, the attention of the Powers is called to the better enforcement of the Regulations in that behalf.
11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.
12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam when the engines are stopped, in such a manner as to occasion as little noise as possible.
13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such squadron.
14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which, and to which, she is bound.

Inclosure 2.

Department of State, International Marine Conference,
Sir, *Washington, December* 31, 1889.

I HAVE the honour to inform you that the Conference, at a session held on the 30th December, 1889, upon motion of the First Delegate for France, passed the following Resolution :—

Resolved,—That a Final Act be printed showing for each division of the programme, and in the order of the divisions, the Resolutions adopted by the Conference.

This Act to be signed in the name of the Conference by the President and the Secretary.

In compliance with this Resolution I have the honour to transmit said Final Act.

Final Act.

The President of the United States of America, in pursuance of a special provision of Congress, having extended to the Governments of all maritime nations in diplomatic relations with his own an invitation to send Delegates to a Maritime Conference to meet in the city of Washington on the 16th October, 1889, to discuss, revise, and amend the Rules, Regulations, and practice concerning vessels at sea and navigation generally, this International Marine Conference assembled at the time and place designated, and, after careful and patient discussion and consideration of the entire programme, passes the following Resolutions upon the subjects contained under the various General Divisions :—

General Division I.

Marine Signals or other means of plainly indicating the Direction in which Vessels are moving in Fog, Mist, Falling Snow, and Thick Weather, and at Night.

Rules for the prevention of Collisions, and Rules of the Road.

1. Visibility, number, and position of lights to be carried by vessels.

   (*a.*) Steamers under way.
   (*b.*) Steamers towing.
   (*c.*) Vessels under way, but not under command, including steamers laying cable.
   (*d.*) Sailing-vessels under way.
   (*e.*) Sailing-vessels towing.
   (*f.*) Vessels at anchor.
   (*g.*) Pilot-vessels.
   (*h.*) Fishing-vessels.

2. Sound-signals ; their character, number, range, and position of instruments.

   (*a.*) For use in fog, mist, falling snow, and thick weather, as position signals.
      For steamers under way.
      For steamers towing.
      For sailing-vessels under way.
      For sailing-vessels towing.
         (These signals to show the approximate course steered if possible.)
      For vessels at anchor.
      For vessels under way, but not under command, including steamers laying cable.
   (*b.*) For use in all weathers as helm-signals only.
      For steamers meeting or crossing.
      For steamers overtaking.
      For steamers backing.
   (*c.*) Whether helm-signal shall be made compulsory or remain optional.

3. Steering and sailing rules.

(*a.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by each other.
(*b.*) Steamers meeting, crossing, overtaking, or being overtaken by each other.
(*c.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by steamers.
(*d.*) Steamers meeting, crossing, overtaking, or being overtaken by sailing-vessels.
(*e.*) Special Rules for channels and tide-ways, where no local Rules exist.
(*f.*) Conflict of international and local Rules.
(*g.*) Uniform system of commands to the helm.
(*h.*) Speed of vessels in thick weather.

Resolved,—That in the opinion of the Conference it is inexpedient to adopt course-indicating sound-signals in foggy or thick weather; inasmuch as among the other strong reasons presented by the Sound-Signal Committee, if such signals were used in crowded waters, danger would result from the uncertainty and confusion produced by a multiplicity of signals, and from the false security that would be created in the minds of mariners, and if vessels were navigated in dependence on such signals, when neither could see the other, there would be danger that the officer in charge might read the signal incorrectly, or, if he read it correctly, would interpret it wrongly.

Regulations for preventing Collisions at Sea.

Preliminary.

These Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "steam-vessel" shall include any vessel propelled by machinery.

A vessel is "under way," within the meaning of these Rules, when she is not at anchor, or made fast to the shore, or aground.

Rules concerning Lights, &c.

The word "visible" in these Rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

Article 1. The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry—

(*a.*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(*b.*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c.*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at

least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e.*) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing-vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in Article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Art. 4.—(*a.*) A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (*a*), where they can best be seen, and if a steam-vessel in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes, each 2 feet in diameter.

(*b.*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (*a*), and if a steam-vessel in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command, and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art. 5. A sailing-vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned in Article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:—

1. Steam-vessels of less than 40 tons shall carry—

(*a.*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (*a*), and of such a character as to be visible at a distance of at least 2 miles.

(*b.*) Green and red side-lights constructed and fixed as prescribed in Article 2 (*b*) and (*c*), and of such a character as to be visible at a distance of at least 1 mile, or a combined

lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 8. Pilot-vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot-vessels when not engaged on their station on pilotage duty shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing-vessels and fishing-boats when under way, and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a.*) Vessels and boats when fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(*b.*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (*a*) a tricoloured lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards, shall carry a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea, the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision *b* (1) and (2) shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision *b* (2) of this Article, but if they do not carry such light, they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels, be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision *b* (2), or in lieu thereof a flare-up light.

(*c.*) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(*d.*) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, they shall be exhibited from the bow.

(*e.*) Every fishing-vessel and every boat when at anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*f.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal prescribed for a vessel at anchor, respectively. (See Article 15 (*d*), (*e*), and last paragraph.)

(*g.*) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute, make a blast; if steam-vessels with the whistle or siren, and if sailing-vessels with the fog-horn, each blast to be followed by ringing the bell.

(*h.*) Sailing-vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by Article 4 (*a*).

Art. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use any detonating signal that cannot be mistaken for a distress signal.

Art. 13. Nothing in these Rules shall interfere with the operation of any special Rules, made by the Government of any nation, with respect to additional station and signal-lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen, one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Art. 15. All signals prescribed by this Article for vessels under way shall be given—

1. By "steam-vessels" on the whistle or siren.
2. By "sailing-vessels and vessels towed" on the fog-horn.

The words "prolonged blast" used in this Article shall mean a blast of from four to six seconds' duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any

obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(*a.*) A steam-vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between them.

(*c.*) A sailing-vesel under way shall sound, at intervals of not more than one minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*d.*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

(*e.*) A vessel, at anchor at sea, when not in ordinary anchorage ground and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than two minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing-vessel, at intervals of not more than one minute, two blasts with her fog-horn, followed by ringing her bell.

(*f.*) A vessel, when towing, shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this Article, at intervals of not more than two minutes, sound three blasts in succession, viz., one prolonged blast followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

(*g.*) A steam-vessel wishing to indicate to another "The way is off my vessel, you may feel your way past me," may sound three blasts in succession, viz., short, long, short, with intervals of about one second between them.

(*h.*) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer three prolonged blasts in succession.

(*i.*) A vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer four short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than one minute.

Speed of Ships to be Moderate in Fog, &c.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing-vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz.:—

(*a.*) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

* *Note.*—In all cases where the Rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

(*b.*) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(*e.*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Art. 24. Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than 2 points abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in sight of one another.

Art. 28. The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz. :—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern."

No Vessel, under any circumstances, to neglect proper Precautions.

Art. 29. Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 30. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Distress Signals.

Art. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz. :—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by NC;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything a resembling a ball;
4. Rockets or shells as prescribed below for use at night;
5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, bursting in the air with a loud report and throwing stars of any colour or description, fired one at a time at short intervals;
4. A continuous sounding with any fog-signal apparatus.

The following Resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat in an Appendix to Rules of the Road :—

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.
2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.
3. The use of incandescent lamps should be permitted; the use of arc lights, at present, should be excluded for all purposes other than signalling and searching.
4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible after the lamp has been fitted with proper screens.
5. The lanterns should be so constructed as to insure the light having, at least, the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.
6. The colour of the glasses by which the colouring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished.
7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.
8. The side-lights should be so screened as to prevent the most convergent rays of the light being seen across the bows more than half a point.

9. The side-lights should be placed, in steam-vessels, not forward of the masthead-light.

10. To meet the number of complaints as to the absence of proper lights on sailing-vessels, the attention of the Powers is called to the better enforcement of the Regulations in that behalf.

11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.

12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam when the engines are stopped, in such a manner as to occasion as little noise as possible.

13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such squadron.

14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel, and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which and to which she is bound.

General Division II.

Regulations to determine the Seaworthiness of Vessels.

(*a.*) Construction of vessels.
(*b.*) Equipment of vessels.
(*c.*) Discipline of crew.
(*d.*) Sufficiency of crew.
(*e.*) Inspection of vessels.
(*f.*) Uniform certificates of inspection.

1. It is the opinion of the Conference that, upon the subjects contained in the sections of this Division no International Rule could be made which would secure beneficial results. It is thought that the Conference would be limited in each case to a recommendation fixing a minimum for the objects which it is desired to secure under each of these sections. If such a minimum were made the legal requirement it would have an injurious effect upon the present standard of efficiency in many countries.

2. In other countries where such efficiency does not exist, it is thought that it will be best secured by the same means which have secured it elsewhere, leaving each nation to modify such means in ways which will best adapt them to the particular methods of the respective Governments.

3. Again, it is found that the present Rules existing in different countries upon several of these questions are different in many respects, though probably equally efficient. It would, therefore, become necessary, in forming an International Rule in such cases, to recommend changes in the existing Rules of several countries, which to some of them might be impracticable. This is thought to be undesirable. However, the Conference earnestly recommend that—

4. All vessels, whether propelled by steam or sail, should possess a margin of strength over and above that which is required to enable them to perform the work for which they were designed and built. A chain, a bridge, or any other structure, the failure of which would entail the loss of human life, invariably has a considerable reserve of strength provided; in other words, the admitted working load is always much less than the computed strength, or the strength ascertained by actual test; certainly, it is no less important that the hull of a vessel should contain a similar reserve.

5. To attempt to formulate Rules for the construction of vessels of all sizes and for all trades would far exceed the province of this Conference; and, besides, any

arbitrary Rules would probably much hamper the advance in design and the method of construction.

6. Therefore, to obtain as much as seems to be practicable in this direction, it is desirable to rely upon efficient and oft-repeated inspection, when, upon the least indication of distress or of rupture showing, very substantial additions should be made before the vessel is allowed to again proceed to sea.

7. Ocean-going steam-vessels which carry passengers should be additionally protected by having efficient bulkheads, so spaced that when any two compartments be filled with water, the vessels will still remain in a seaworthy condition, and two, at least, of the amidships bulkheads should be tested by water-pressure to the height of the deck next above the water-line.

General Division III.

Draft to which Vessels should be restricted when loaded.

"Uniform maximum load-mark."

The Conference are led to believe that notwithstanding the advantages which would be connected with the introduction of a uniform system of load-marks, this matter is not ripe for consideration by this Conference, and that it ought to be left to the negotiations to be carried on between the Governments of the maritime nations.

General Division IV.

Uniform Regulations regarding the Designating and Marking of Vessels.

(*a.*) Position of name on vessels.
(*b.*) Position of name of port of registry on vessels.
(*c.*) Size of lettering.
(*d.*) Uniform system of draught-marks.

1. The name of every registered merchant-vessel shall be marked upon each bow and upon the stern, and the port of registry of every such vessel shall be marked upon the stern.

These names shall be marked in Roman letters in a light colour on a dark ground, or in a dark colour on a light ground, and to be distinctly visible.

The smallest letters used shall not be less than 4 inches high.

2. The draught of every registered vessels hall be marked upon the stern and stern-post in English feet or decimeteres, in either Arabic or Roman numerals. The bottom of each numeral shall indicate the draft to that line.

General Division V.

Saving Life and Property from Shipwreck.

1. Saving of life and property from shipwreck at sea.
(*a.*) Duties of vessels after collision.
(*b.*) Apparatus for life saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)
(*c.*) The use of oil and the necessary apparatus for its use.
(*d.*) Uniform inspections as to (*b*) and (*c*).
2. Saving of life and property from shipwreck by operations from shore.
(*a.*) Organization of, and methods employed by, life-saving institutions.
(*b.*) The employment of drilled and disciplined crews at life-saving stations.
(*c.*) The maintenance of a patrol upon dangerous coasts by night, and during thick

weather by day, for warning off vessels standing into danger, and for the early discovery of wrecks.

(*d.*) Uniform means of transmitting information between stranded vessels and the shore.

(*e.*) Life-boats, life-saving apparatus and appliances.

3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

(1.) *Resolved*,—In every case of collision between two vessels, it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable, and as may be necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and also the names of the ports and places from which and to which she is bound.

(2.) *Resolved*,—That the Conference approve of the principle of the Rules made by the Board of Trade of Great Britain under "The Merchant Shipping (Life-Saving Appliances) Act, 1888," relating to boats and appliances to be carried on board ship for saving life; and recommend that the several Governments adopt measures to secure compliance with this principle in regard to such boats and appliances for vessels of 150 tons and upwards gross tonnage.

It is also recommended that the principle of these Rules be extended to all smaller craft, as far as practicable; and that each vessel of this class should carry at least one life-buoy of approved pattern and material, and for every person on board an efficient life-belt or jacket.

(3.) *Resolved*,—That the Conference recommend that the several Governments require all their sea-going vessels to carry a sufficient quantity of animal or vegetable oil, for the purpose of calming the sea in rough weather, together with suitable means for applying it.

(4.) *Resolved*,—That the Conference recommend that all institutions for saving life from wrecked vessels prepare uniform instructions to mariners with reference to their co-operation with those attempting their rescue from the shore, and that said instructions include the following signals:—

Upon the discovery of a wreck by night the life-saving force will burn a red pyrotechnic light or a red rocket to signify "You are seen; assistance will be given as soon as possible."

A red flag waved on shore by day, or a red light, red rocket, or red Roman candle displayed by night will signify "Haul away."

A white flag waved on shore by day, or a white light slowly swung back and forth, or a white rocket or white Roman candle fired by night, will signify "Slack away."

Two flags, a white and a red, waved at the same time on shore by day, or two lights, a white and a red, slowly swung at the same time, or a blue pyrotechnic light burned by night, will signify "Do not attempt to land in your own boats. It is impossible."

A man on shore beckoning, by day, or two torches burning near together, by night, will signify "This is the best place to land."

Any of these signals may be answered from the vessel as follows: In the daytime by waving a flag, a handkerchief, a hat, or even the hand; at night by firing a rocket, a blue light or a gun, or by showing a light over the ship's gunwale for a short time and then concealing it.

And it is recommended that the several Governments take measures to keep all their sea-going vessels supplied with copies of such instructions.

6. *Resolved*,—That the Conference recommend that the several nations provide by legislative enactments for official inquiry into the causes and circumstances of all shipwrecks and other serious casualties happening to their vessels.

General Division VI.

Necessary Qualifications for Officers and Seamen, including Tests for Sight and Colour Blindness.

(*a.*) A uniform system of examination for the different grades.
(*b.*) Uniform tests for visual power and colour-blindness.
(*c.*) General knowledge of methods employed at life-saving stations.
(*d.*) Uniform certificates of qualification.

1. Every man or boy going to sea as a seaman, or with the intention of becoming a seaman, should be examined for visual power and colour-blindness; and no man or boy should be permitted to serve on board any vessel in the capacity of seaman, or where he will have to stand look-out, whose visual power is below one-half normal, or who is red and green colour-blind.

2. Every man who shall qualify as an officer or as a pilot of a registered vessel after the adoption of these Rules, except engineer officers, shall be required to have a certificate that he has the necessary visual power, and that he is not red and green blind. He shall also have a certificate that he is familiar with the Regulations for preventing collisions at sea, and with the duties required of him in co-operating with a life-saving station in case his vessel is stranded.

3. It is recommended that each country provide means which will enable any boy or man intending to go to sea to have his eyes examined for visual power and colour-blindness, and to obtain a certificate of the result, also to enable the master of any vessel to have the eyes of any of his crew tested for the same purpose.

It is the opinion of the Conference that defective visual power and colour-blindness are sources of danger at sea. The first both by day and night, because of the inability of the short-sighted to see objects at a sufficient distance. Colour-blindness is a source of danger, more especially at night, because of the inability of a colour-blind person to distinguish between the red and green side-lights. The inability on the part of an officer or look-out to distinguish the colour of buoys may be a cause of accident in broad daylight.

It is the opinion of the Conference, however, that tests for these defects need not be enforced in the cases of masters and mates who already occcupy such positions.

The Conference purposely avoid making any recommendation as to the methods to be used in making such tests for visual power and colour-blindness, or in conducting the necessary examinations for officers. It is thought that the desired objects will be best secured by leaving each country to employ the methods which may seem most suitable.

General Division VII.

Lanes for Steamers on frequented Routes.

(*a.*) With regard to the avoidance of steamer collisions.
(*b.*) With regard to the safety of fishermen.

After consideration of various routes the Conference concluded to report only upon the North Atlantic route between ports of North America and ports of Northern Europe as the route upon which there was apparently the greater demand for such lanes, if such could be advantageously laid down on any ocean or sea.

It appears that the adherence of fast steam passenger-vessels to certain southerly routes would tend to the avoidance of fog and ice, and the Conference adopted a Resolution to the effect that it was desirable during the spring and summer months that such vessels should follow a southern route which would clear the Banks of Newfoundland, and be likely to be clear of fog and ice, but when it came to proposing any plan to make such ocean lanes compulsory, the Conference found the subject one of such difficulty that they do not recommend a proposition of that nature.

The difficulty of enforcing the present Rule providing for moderate speed in thick weather suggests what greater difficulties would be met with in enforcing lane routes if made compulsory, and it was not thought desirable to lay down routes by international agreement unless they were to be made compulsory for swift steamers.

Routes that might be proposed would be in danger of invasion by ice during the spring and summer months, and at all times would be crossed by sailing-vessels and

steamers going north and south. If laid down on parallels of latitude which seemed to favour one seaport at the expense of another, or the ports of one country at the expense of the ports of another country, they would arouse opposition that would probably prevent their adoption.

It is possible that even in the near future vesels may be employed of such power and speed that all such considerations may have to give way to the paramount consideration of safety, but, so far as shown to the Conference, present conditions do not seem to justify an international agreement to that effect. It was not shown to the Conference that collisions in mid-ocean between fast ocean steamers had taken place, or that the danger was great enough to justify enforced adherence to certain lanes. Collisions between fast steam-ships, so far, have occurred nearer the coasts where all tracks must converge.

The Conference believe, however, that the voluntary establishment of, and adherence to, particular routes by the different Steam-ship Companies, for different seasons of the year, is very desirable. In fact, the Conference are of the opinion that such action by the Steam-ship Companies, with the experience to be gained thereby, would be quite essential before any concerted action by the Maritime Powers could be profitably taken.

The Conference therefore strongly recommend that the Companies interested should, by mutual agreement, after consultation together, establish routes for the different lines, and make them public, in order that the Hydrographic Offices of the various Governments may publish them for the information of navigators.

The Conference have considered the opinions of several persons in the printed matter that has been laid before them. With the exception of one or two definite propositions, the literature before the Conference does not show how such lane routes could be laid down. Even those containing such propositions arrive at the conclusion that such routes could not be made compulsory.

With regard to the safety of fishermen upon the North Atlantic Ocean, the Conference are of opinion that their safety would be best promoted by unceasing vigilance on the part of the fishermen, and by careful compliance by all with the present Rules for the prevention of collisions, especially as to the efficiency of lights and sound-signals. If lanes were established which carried the fast steamers clear of the Banks frequented by the fishermen it might promote such a sense of security on their part as would tend to carelessness with reference to the Rules as at present laid down, and lead to danger from the slower vessels which would still frequent the Banks.

During the months when the fishing-vessels most frequent the Banks the fear of encountering fog and ice leads many of the steamers to go south of them.

Quick passages are what the steam-vessels aim at in response to the public demand for swift passenger and mail service, and if they were compelled to obey existing Rules regarding moderate speed in fogs at all times and in all places they would avoid the Banks still more in order to go clear of fogs; and thus it seems that the solution of the problem before the Conference, namely, of how to induce steam-ships of great speed to take safer routes to avoid fogs, ice, and danger of collision with fishermen and other vessels, is in compelling obedience to the present Rules regarding moderate speed in thick weather. The enforcement of these Rules would make it for the interest of such vessels to take routes comparatively clear of fogs and ice, and thus attain the end which compulsory legislation might fail to do.

From the correspondence placed before the Conference regarding the dangers of fishermen upon the Banks, it will be observed that vigilance regarding lights and sound-signals have been found efficient safeguards in most instances.

General Division VIII.

Night Signals for communicating Information at Sea.

(*a.*) A Code to be used in connection with the International Code Signal Book.

(*b.*) Or a Supplementary Code of limited scope to convey information of special mportance to passing vessels.

(*c.*) Distress signals.

With regard to subsections (*a*) and (*b*) of General Division VIII, the Conference have considered systems of night-signals with ordinary coloured lights, but the objection exists that they cannot be seen so far as a white light. It is the opinion of the Conference

that night-signalling at sea can better be carried on by a system of long and short flashes from a white light than by any system in which coloured lights are used.

The Conference have concluded that the systems of signalling by pyrotechnic lights which have been brought to their notice are too expensive for general use.

The Conference have had before them "a Supplementary Code of limited scope to convey information of special importance to passing vessels," which has been prepared by a Committee of the British Board of Trade, and has been presented by the British Government to the various Powers for their consideration.

The Conference, after careful consideration, recommend the adoption, for optional use, of that Supplementary Code, with the following change: To strike out signal PG, "Beware of derelict dangerous to navigation," and substitute in its place NP, "I want assistance. Remain by me."

The Conference decided upon the following fog-signals, to be allotted to pilots and to vessels seeking pilots:—

For vessels requiring pilots—a prolonged blast followed by a short blast, ——— —.

For pilots wishing to offer their services—short blast followed by a long blast, — ———.

And the Conference recommend that they be inserted in the International Code Book under the Pilot-Signals.

The Conference suggest that the complete alphabet of the Morse Code be inserted in the International Code Book for optional use.

General Division IX.

Warnings of approaching Storms.

(*a.*) The transmission of warnings.
(*b.*) The uniformity of signals employed.

The preparation of weather forecasts and the transmission of warnings regarding expected storms must, by the very nature of the subject, be dealt with locally; and it is in the opinion of the Conference very questionable whether any useful purpose would be gained by the adoption of uniformity of methods, except so far as the general progress of scientific knowledge indicates the direction of possible improvement; and this, it is hardly necessary to say, is more likely to be secured by work carried on independently rather than under any uniform system.

The Conference invite the maritime countries interested to take into consideration the establishment of a uniform system of indicating storm warnings by day and by night, and that such a system should, as far as possible, include signals indicating whether the storm is approaching or has passed the station.

General Division X.

Reporting, marking, and removing Dangerous Wrecks or Obstructions to Navigation.

(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts.

(*b.*) The division of the labour, cost, and responsiblity among the several maritime nations, either by geographical apportionment or otherwise:—

Of the removal of dangerous derelicts;

And of searching for doubtful dangers with a view of removing them from the charts.

Resolutions submitted for the consideration of the Powers.

1. That it is advisable to make it the duty of any of the officers or of the crew of a wreck or derelict to report, as soon as possible after landing, to the nearest harbour authority, if necessary through their Consul, as follows:—

(*a.*) Name of the vessel abandoned.

(*b.*) Her distinguishing number.

(*c.*) Name of her home port, port from which she sailed, and place of destination.

(*d.*) General description of vessel and her rig.

(*e.*) Place where abandoned (latitude and longitude as near as possible).

(*f.*) Weather and current experienced before leaving the vessel, and in case she was a derelict, the direction in which she would most likely drift.

(*g.*) Whether or not it is intended to take any steps toward her recovery.

2. That a similar report should be made to the same authorities by the master of an vessel sighting a wreck or derelict, and a suitable entry made in the ship's log.

3. That such reports should be published in "Notices to Mariners," the daily press, and, if necessary, by giving telegraphic information to the ports which it most concerns.

4. That it is advisable to make it the duty of every commander or master of a vessel to report the fact that an iceberg or dangerous field ice has been sighted, or a shoal, reef, or other obstruction has been discovered, to the harbour authorities or the Hydrographic Office of that country to which the port next reached belongs, giving a full description of the obstruction, and all facts that may lead to the determination of its position; for instance, the time elapsed since the last reliable astronomical observation, and the rate of the chronometer. If the obstruction be a shoal or reef, the depth of water actually obtained by sounding on it should be given. Also, when land is in sight, the position of any off-lying shoal or reef should be determined by compass bearings of fixed objects in view; the error of the compass being stated, with information as to how and when that error was observed. Angles should also be taken between such objects, and a drawing of the coast and the position of the observer be added.

5. That whenever practicable it shall be the duty of the crew before abandoning a vessel (*a*) to hoist some distinctive signal, as: BCF, "Abandoned by the crew," or CRTG, "Derelict," or a ball, shape, or other similar mark, where it can best be seen, and where it should not be mistaken for any other authorized signal; (*b*) to let go the sheets and halliards of such sails as are not furled.

6. That the different Maritime Powers interested in the navigation of that portion of the North Atlantic Ocean bordering the American coast, and situated westward of a line drawn from the Bermuda Islands to Cape Race, Newfoundland, be invited to come to an agreement respecting the removal of derelicts in these waters under due official supervision.

7. That in countries which, by Treaty, have acknowledged the exterritoriality of subjects of other Powers and their property, the Consul or Consuls concerned shall be instructed not to withhold his or their consent to the destruction of a wreck or parts thereof, if it is shown that the wreck constitutes a danger to passing vessels, and if there is no apparent possibility that it will be removed within a reasonable time by the owners or the Insurance Companies interested.

General Division XI

Notice of Dangers to Navigation.

Notice of Changes in Lights, Buoys, and other Day and Night Marks.

(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations, to include the form of "Notices to Mariners."

(*c.*) A uniform method of distributing this information.

The Conference invite the several Maritime Powers to consider the following Resolutions, with a view to establishing uniformity in the subjects treated in "Notices to Mariners" and "Light Lists":—

1. That all bearings should be given from seaward.

2. That the bearings of cuts of different coloured sectors of lights or bearings of lights defining a narrow channel should be expressed in degrees where practicable.

3. That all bearings expressed in degrees should count from north and south, from 0° to 90°, towards east and west.

4. That in designating bearings the letter E shall designate east and the letter W shall designate west.

5. That whenever bearings are given the variation of the compass at the place should be stated.

6. That distances should be expressed in nautical miles and fractions thereof. The word "cable" should mean the tenth part of a nautical mile.

7. That whenever the longitude of a position is given, it should be stated which prime meridian is adopted, and if other than that of Greenwich or Paris, the difference of longitude should also be stated.

8. That in defining the visibility of a light it should be stated whether the distance is for "clear" or "mean" state of the weather.

9. That where the geographical range of a light is given it should be calculated as seen at high water from an observer 15 feet, or 5 metres, above the sea.

10. That a uniform classification of lights, based on luminous intensity and on the character as seen by the mariner, should be adopted.

11. That the Central Offices that issue "Notices to Mariners" or "Light Lists" should be permitted to correspond direct on such subjects.

12. That from countries where "Notices to Mariners" are published only in newspapers, copies of such papers should be sent to the various Hydrographic Offices.

General Division XII.

A uniform System of Buoys and Beacons.

(*a.*) Uniformity in colour of buoys.
(*b.*) Uniformity in numbering of buoys.

On the principle of using four colours to mark the four sides of a shoal, the Conference put forward the following scheme, based on the least change that would be necessary in altering the present systems to a uniform plan, and they bring it to the notice of the countries interested as an example showing that uniformity is attainable if they will agree to consider the subject.

All shoals marked on the compass system to be marked—
On the *North* side by a single Black or White colour.
South side by Red.
East side by half Red and half White combined.
West side by half White and half Black combined.

On Rocks in Fairway, with channels on either hand, to be marked Black or Red, with horizontal bands.

If such colours were adopted, then the following changes of colour would be necessary :—

The marks on the *North* side of a shoal would remain coloured Black or White as they now are in all countries using the compass system.

The marks on the *South* side of a shoal would in—
Norway, have to be changed from White to Red.

The marks on the *East* side of a shoal would in—

Norway,	have to be changed from	Black	to half Red and half White.
Sweden,	do.	Black and White	do.
Denmark,	do.	Red	do.

The marks on the *West* side of a shoal would in—

Norway, Denmark,	have to be changed from	White	to half White and half Black.
Sweden,	do.	Red	do.
Finland,	do.	White and Red	do.

The marks on a rock in Fairway, with channel on either side, if a white horizontal band is generally adopted, would in Russia have to be changed from Black to Black or Red with White horizontal bands, in agreement with the other countries.

The Conference invite the various Powers interested to consider the following general principles, which they put forward as a basis on which to build up a uniform international buoyage system for districts other than those where the compass system is in use.

The term "starboard-hand" shall denote that side of a navigable channel which is on the right hand of the mariner entering from seaward; the term "port-hand" shall denote that side which is on the left hand under the same circumstances.

Colour.—Buoys defining the starboard-hand shall be painted a single red colour.

Buoys defining the port-hand shall be painted a single black colour, or a parti-colour.

Buoys defining middle grounds shall be painted with horizontal bands.

Form.—Wherever form is used as a distinctive character—

Buoys defining the starboard-hand shall be conical, and those defining the port-hand shall be can or spar.

Top Marks.—Countries where form is not used as a distinctive character for buoys may adopt as another distinctive feature for the buoys on either side of a channel, top-marks resembling a cone to be used on the starboard side, or a cylinder on the port side of a channel.

Numbers and Letters.—Numbers, letters, and names may be painted on the buoys, but they must never be so large as to interfere with their distinctive colouring.

Wherever numbers and letters are used they shall be in consecutive order, commencing from seaward.

Buoying and marking of Wrecks.—(*a.*) All buoys and the top-sides of vessels used for the marking of wrecks, shall be painted green with a suitable white inscription.

(*b.*) Where it is practicable, by day one ball shall be exhibited on the side of the vessel nearest the wreck, and two placed vertically on the other side; three fixed white lights similarly arranged, but not the ordinary riding light, shall be shown from sunset to sunrise.

General Division XIII.

The Establishment of a Permanent International Maritime Commission

(*a.*) The composition of the Commission.
(*b.*) Its powers and authority.

Resolved,—That for the present the establishment of a Permanent International Maritime Commission is not considered expedient.

On the 31st December, the programme having been completed, the following Resolutions were adopted:—

On motion of Mr. Hall (Great Britain):

Resolved,—That a cordial vote of thanks be tendered by the Conference to its President, Rear-Admiral Samuel R. Franklin, for his courteous, impartial, and able conduct in the chair.

On motion of Dr. Sieveking (Germany):

Resolved,—That the thanks of the Conference be expressed to the Secretaries of the Conference and to the officers detailed by the United States' Government, for their assiduous services and the valuable assistance given by them to the works of the Conference.

On motion of Captain Richard (France):

That the names of the various Secretaries, given herewith, be added to the Resolution of Dr. Sieveking:—

Lieutenant Vincendon L. Cottman, Mr. Cecil A. Spring Rice, M. Walter Blaess, M. Charles Ribière, Permanent Secretaries;

Lieutenant Frank E. Beatty, Lieutenant Edward D. Bostick, Lieutenant Ridgely Hunt, Lieutenant John F. Newton, Ensign William L. Howard, Secretaries to Committees.

The Conference recommend that a copy of this Final Act be transmitted to the various Powers represented.

In the name of the International Marine Conference,

I am, &c.

(Signed) S. R. FRANKLIN, *Rear-Admiral, United States' Navy, President.*

(Signed) V. L. Cottman,
Lieutenant, United States' Navy, Secretary.

Hon. James G. Blaine, Secretary of State,
Department of State.

COMMERCIAL. No. 18 (1890).

Summary of the Protocols, and Final Act, of the International Marine Conference held at Washington, October to December 1889.

Presented to both Houses of Parliament by Command of Her Majesty. August 1890.

LONDON
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COMMERCIAL. No. 19 (1890).

CORRESPONDENCE

RESPECTING THE

INTERNATIONAL MARINE CONFERENCE,

HELD AT

WASHINGTON,

1888-89.

Presented to both Houses of Parliament by Command of Her Majesty.
1890.

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Correspondence respecting the International Marine Conference, held at Washington, 1888-89.

No. 1.

Sir L. West to the Marquis of Salisbury.—(Received March 7.)

(Extract.) *Washington, February 24, 1888.*

I HAVE the honour to inform your Lordship that a Bill has been passed by the Senate appropriating 30,000 dollars for an International Maritime Conference to be held in Washington in October next. It authorizes and requests the President to invite the Government of each maritime nation to send Delegates to a Marine Conference, and to appoint five Delegates to represent the United States.

The object of this Conference is to revise and amend the "Rule of the Road at Sea," and the "International Code of Flag and Night Signals;" to adopt a uniform system of marine signals or other means of plainly indicating the direction in which vessels are moving in fog, mist, falling snow, and thick weather, and at night; to compare and discuss the various systems employed for the saving of life and property from shipwreck; for reporting, marking, and removing dangerous wrecks or obstructions to navigation; for designating vessels for conveying to mariners and persons interested in shipping, warnings of approaching storms, of dangers to navigation, of changes in lights, buoys, and other day and night marks; and to formulate and submit for ratification to the Governments of all maritime nations proper International Regulations for the prevention of collision and other avoidable marine disasters.

No. 2.

Foreign Office to Board of Trade.

Sir, *Foreign Office, March 7, 1888.*

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Board of Trade, the accompanying despatch* respecting a Bill which has been passed by the United States' Senate, proposing an International Conference on the subject of the Rule of the Road at Sea, and I am to request the favour of the Board's observations on the matter.

I am, &c.
(Signed) T. V. LISTER.

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* No. 1.

No. 3.

Board of Trade to Foreign Office.—(*Received March* 21.)

Sir, *Board of Trade, London, March* 20, 1888.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 7th instant respecting a Bill which has been passed by the United States' Senate, proposing an International Conference on the subject of the Rule of the Road at Sea, and other questions, and requesting their observations on the matter.

In reply, I am to state, for the information of the Marquis of Salisbury, that, as Her Majesty's Government do not appear to have been yet invited to send Delegates to the proposed Congress, it would seem premature to enter at length or in detail into the questions raised by the proposal; but I am to observe that the Rule of the Road at Sea, as laid down in the International Regulations for the prevention of collisions at sea, is now accepted by all the great maritime countries (including the United States), with some slight exceptions in regard to the lights to be carried by fishing-vessels off the coast of Europe lying north of Cape Finisterre. There would seem, therefore, to be no need for an International Conference to revise and amend these Regulations, and the Board of Trade have received no intimation whatever that any Maritime State thinks their amendment desirable. As regards the International Code of Signals, I am to state that that Code is now under revision by a Committee appointed by the Board of Trade. The terms of the reference to this Committee will be seen by the inclosed copy of the minute of appointment.

I am to add that, as the initiative with regard to this and other such matters has hitherto been taken by this country, the Board of Trade would suggest, for Lord Salisbury's consideration, the desirability of London, and not Washington, being selected for a Conference, if such a Conference is needed.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 4.

The Marquis of Salisbury to Sir L. West.

Sir, *Foreign Office, March* 27, 1888.

I CAUSED your despatch of the 24th ultimo, respecting the proposals of the United States' Senate for an International Maritime Conference to be held at Washington to amend the Rule of the Road at Sea and the International Code of Signals, &c., to be communicated to the Board of Trade; and I now inclose, for your information and guidance, a copy of a letter which I have received from that Department on the subject.*

I am, &c.
(Signed) SALISBURY.

No. 5.

The Marquis of Salisbury to Sir L. West.

Sir, *Foreign Office, June* 13, 1888.

WITH reference to my despatch of the 27th March, I should be glad to learn whether any further steps have been taken in the matter of the Bill passed by both Houses of the United States' Congress for holding a Maritime Congress at Washington.

I am, &c.
(Signed) SALISBURY.

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* No. 3.

No. 6.

Foreign Office to Board of Trade.

Sir, *Foreign Office, June* 13, 1888.

I AM directed by the Marquis of Salisbury to request you to state to the Board of Trade that Her Majesty's Minister at Washington has been furnished, for his information and guidance, with a copy of your letter of the 20th March last respecting the Bill passed by both Houses of the United States' Congress for holding a Maritime Conference at Washington.

The Committee of Lloyd's having requested that they might have an opportunity of bringing some matters under the consideration of the Secretary of State, in the event of Her Majesty's Government sending a Representative to the Conference, they have been informed of the general sense of your above-mentioned letter, and of the action taken on it.

Her Majesty's Minister at Washington has now been requested to report whether anything further has been done in the matter of the proposed Conference.

I am, &c.

(Signed) JAMES FERGUSSON.

No. 7.

Mr. Edwardes to the Marquis of Salisbury.—(Received July 23.)

My Lord, *Washington, July* 13, 1888.

WITH reference to your Lordship's despatch of the 13th ultimo, I have the honour to state that the Act to provide for an International Marine Conference for securing greater safety for life and property at sea was signed by the President on the 10th instant.

The Law has not yet been printed, but copies of it shall be forwarded to your Lordship as seon as they can be obtained.

I have, &c.

(Signed) H. G. EDWARDES.

No. 8.

Sir L. West to the Marquis of Salisbury.—(Received August 6.)

(Extract.) *Beverly, Massachusetts, July* 20, 1888.

WITH reference to Mr. Edwardes' despatch of the 13th instant, I have the honour to inclose to your Lordship herewith copies of an Act providing for an International Maritime Conference to secure greater safety for life and property at sea, which has been passed by Congress, and approved by the President.

Inclosure in No. 8.

[Public.—No. 167.]

An Act providing for an International Marine Conference to secure greater Safety for Life and Property at Sea.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the President of the United States be, and he hereby is, authorized and requested to invite the Government of each maritime nation to send Delegates to a Marine Conference that shall assemble at such time and place as he may designate, and to appoint seven Delegates, two of whom shall be officers of the United States' navy and one an official of the Life Saving Service, two masters from the merchant marine (one from the sailing marine and one from the steam marine), and two citizens familiar with shipping and Admiralty practice, to represent the said United States at said Marine Conference, and to fill vacancies in their number.

Sec. 2. That it shall be the object of said Marine Conference to revise and amend the Rules, Regulations, and practice concerning vessels at sea, and navigation generally, and the "International Code of Flag and Night Signals;" to adopt a uniform system of marine signals, or other means of plainly indicating the direction in which vessels are moving in fog, mist, falling snow, and thick weather, and at night; to compare and discuss the various systems employed for the saving of life and property from shipwreck; for reporting, marking, and removing dangerous wrecks or obstructions to navigation; for designating vessels for conveying to mariners and persons interested in shipping, warnings of approaching storms, of dangers to navigation, of changes in lights, buoys, and other day and night marks, and other important information; and to formulate and submit for ratification to the Governments of all maritime nations proper International Regulations for the prevention of collisions and other avoidable marine disasters.

Sec. 3. That the sum of 20,000 dollars, or so much thereof as shall be necessary, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the necessary expenses of said Marine Conference, including the pay and allowances of the Representatives of the United States States therein, which shall be at the rate of 5,000 dollars per annum, and actual necessary expenses, for such Delegates as are not salaried officers of the United States, and the latter shall be allowed their actual necessary expenses. The Secretary of the Navy is hereby authorized to provide the Conference with such facilities as may be deemed necessary. The powers and authority conferred by this Act upon the persons appointed by the President by force thereof shall terminate on the 1st day of January, A.D. 1890, or sooner at the discretion of the President.

Sec. 4. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures which may have been incurred under the provisions of this Act.

Approved July 9, 1888.

No. 9.

Mr. Phelps to the Marquis of Salisbury.—(*Received August* 15.)

My Lord, *Legation of the United States, London, August* 14, 1888.

REFERRING to the conversation I had with your Lordship yesterday relative to the invitation sent by my Government to Her Majesty's Government, and to those of other maritime nations, to take part in an International Conference at Washington in April next, the object of which is to revise existing Regulations for preventing the loss of life at sea by collision and other accidents, I have now the honour to transmit to your Lordship copies of the instructions I have received on the subject from the Secretary of State of the United States, and of the Act of Congress upon which it is based.

The reasons for the proposed Conference are so fully set forth in this instruction, and were so far considered in the conversation above mentioned, that I can add no further suggestions likely to be useful.

I may, however, express the hope entertained by my Government that Her Majesty's Government may see their way to participating in a proposal so important and so interesting, in which the interests of the two countries are altogether in common, and in the consideration of which their views will be probably so harmonious.

If it should be found, as was suggested by your Lordship yesterday, that the range of the proposed inquiry is larger than may be deemed advisable, I venture to think that when the Conference assembles no difficulty will be encountered in restricting its deliberations, nor, on the other hand, in including within them any topic germane to the purpose of the Conference which has not been specifically mentioned in the instruction of the Secretary of State.

I have, &c.

(Signed) E. J. PHELPS.

Inclosure 1 in No. 9.

Mr. Bayard to Mr. Phelps.

Sir, *Department of State, Washington, July* 30, 1888.

THE Congress of the United States has passed an Act, which received the President's approval on the 9th of the present month, providing for an International Marine Conference to secure greater safety for life and property at sea. By this Act the President is requested to invite the other Maritime Powers of the world to take part in a Conference the objects of which are, in brief, to revise the present International Regulations for preventing collisions at sea, especially with reference to signalling in fog; to revise the existing code of flag signals; to compare and discuss the various systems employed for the saving of life and property from shipwreck; to devise methods of reporting, marking, and removing dangerous wrecks and obstructions to navigation; and to establish uniform means of conveying to mariners warnings of storms and other information.

The great interest and importance of this subject justifies an extended reference to the principal objects of the proposed Conference, and to the steps already taken in the same direction.

In 1863 the Government of Great Britain invited the other maritime nations, in the interest of commerce at large, to examine the Code of Laws adopted by it in 1862 for preventing collisions at sea, and, if found suitable, to legalize them.

In the course of the next two years thirty-four of the principal maritime nations of the world had approved and adopted these Laws.

In 1877, it having been found that the Laws so adopted did not fulfil the requirements of marine commerce, the British Government took steps, by the appointment of a Commission, to frame a revised set of Laws. These, when formulated, were submitted to all the maritime nations, and after sixteen of these Powers had signified their approval, they went into effect on the 1st September, 1880.

These Regulations, however, are believed to be inadequate to the present needs of commerce, in respect especially to the sound signals for use in fog, mist, or falling snow. The increasing number and speed of steam-vessels has greatly added to the dangers of collision in thick weather, and the opinion has recently been expressed by the best authorities that the present system of signals for steam-vessels is insufficient.

The present Code of Flag Signals is also believed to stand in need of careful revision. This system originated in Great Britain in 1856, and experience has shown the necessity of extending the list of names of places and words and phrases, as well as of considering whether greater rapidity and accuracy in signalling cannot be attained.

With respect to the protection of life and property from shipwreck, no general International Agreement is regard to on and off shore signalling, or as to the *modus operandi* of the life-saving service of the different nations, is known to exist. In spite of the utmost efforts of those engaged in the life-saving service of the United States, lives have been lost from foreign vessels stranded on our coast because of a misunderstanding of our methods; and it is believed that the experience of other countries in this regard is similar to our own.

The destruction, or at least the frequent and accurate reporting, of dangerous derelicts is also a matter of the highest importance; and it is obvious that this work can be thoroughly done only by means of the hearty co-operation of the principal maritime nations.

Closely connected with the subject of reporting derelicts is that of conveying warning of storms, and of giving information of recently discovered dangers to navigation, and changes in lights, buoys, and other day or night marks, which can probably best be undertaken by the adoption of some carefully considered international system.

Another important topic, although not enumerated in the Act of Congress which gives rise to the present invitation, is that of an uniform system for the loading of vessels. This subject has recently attracted earnest attention in Great Britain, and a Royal Commission on the Loss of Life at Sea, appointed in 1884, reported in August 1887, recommending that Her Majesty's Government should take steps to invite a Conference of Maritime States to consider how far it might be possible to agree upon such Rules and upon Regulations for their enforcement. Additional

force would attach to the recommendations of the projected Conference, were the British view in regard to overloading at sea to be brought up by Her Majesty's Delegates as pertinent to the general objects of the Conference, rather than as matter for an independent comparison of international views.

This review of the general purposes of the Conference indicates the great interest and the active measures which Great Britain has always taken in the subjects to which I have referred. In view of this, as well as of the importance and extent of British maritime interests, the President recognizes the necessity of the adhesion of Her Majesty's Government to the plan of the proposed Conference, and, indeed, of its active co-operation therein, if the labours of that body are to meet with general acceptance and success.

By direction, therefore, of the President of the United States, you will tender to the Government of Great Britain a cordial invitation to be represented, by such number of Delegates as may seem to it convenient, at an International Conference to be convened at the city of Washington, on Wednesday, the 17th day of April, 1889; the purposes of such Conference being "to revise and amend the Rules, Regulations, and practice concerning vessels at sea, and navigation generally, and the 'International Code of Flag and Night Signals;' to adopt a uniform system of marine signals, or other means of plainly indicating the direction in which vessels are moving in fog, mist, falling snow, and thick weather, and at night; to compare and discuss the various systems employed for the saving of life and property from shipwreck, for reporting, marking, and removing dangerous wrecks or obstructions to navigation, for designating vessels for conveying to mariners and persons interested in shipping, warnings of approaching storms, of dangers to navigation, of changes in lights, buoys, and other day and night marks, and other important information; and to formulate and submit for ratification to the Governments of all maritime nations proper International Regulations for the prevention of collisions and other avoidable marine disasters."

It will be understood by all States taking part in this Conference that no questions relating to the regulation of trade and commerce are within the scope of the discussion, and that in the disposition of questions to come before the Conference no State shall be entitled to more than one vote, whatever be the number of Delegates it may send.

* * * * * *

Your own discretion will doubtless suggest to you the most effective manner of making known the great interest taken by the President in the benevolent purposes of the projected Conference, and his desire and expectation that, in the universal interest of seafaring humanity, Her Majesty's Government will receive and respond to our invitation in the same spirit in which it is extended.

I am, &c.
(Signed) T. F. BAYARD.

Inclosure 2 in No. 9.

[Public.—No. 167.]

An Act providing for an International Marine Conference to secure greater Safety for Life and Property at Sea.

[See Inclosure in No. 8.]

No. 10

Foreign Office to Board of Trade.

Sir, *Foreign Office, August* 17, 1888.

WITH reference to the letter from this Office of the 7th instant,* I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a note from the American Minister in London, with its inclosures,† on the subject of the Maritime Conference which it is

* Sending No. 1.

† No. 9.

proposed to hold in Washington, and expressing the hope of the United States' Government that the Government of Her Majesty may be represented thereat.

I am to request you to move the Board to favour his Lordship with their opinion as to the answer which should be returned to Mr. Phelps' note.

I am, &c.
(Signed) T. V. LISTER.

No. 11.

Board of Trade to Foreign Office.—(Received August 29.)

Sir, *Board of Trade, London, August* 28, 1888.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 17th instant, inclosing a note and other papers received from the American Minister in London on the subject of a Maritime Conference which the Government of the United States propose shall be held in Washington, and expressing the hope of that Government that the Government of Her Majesty may be represented thereat.

These papers have been read by the President of this Board, and he proposes to be at this Office on the 4th September proximo, to consider the matter further; and, in the meantime, has expressed a wish that he may be furnished with the purport of the suggestions made by Lord Salisbury in the conversation between his Lordship and Mr. Phelps referred to in that gentleman's letter addressed to Lord Salisbury on the 14th instant.

I am to add that it will be convenient that the information now asked for should be sent before the 4th proximo.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 12.

The Marquis of Salisbury to Count Hatzfeldt.

M. l'Ambassadeur, *Foreign Office, September* 3, 1888.

WITH reference to your Excellency's inquiry of the 30th ultimo, I have the honour to inform you that Her Majesty's Government have not yet arrived at a decision with regard to the invitation to take part in an International Maritime Conference at Washington. I shall not fail to acquaint your Excellency with the result of the consideration which is now being given to the matter, so soon as I am in a position to do so.

I have, &c.
(Signed) SALISBURY.

No. 13.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September* 4, 1888.

WITH reference to my letter of the 17th ultimo, I am directed by the Marquis of Salisbury to request you to inform the Board of Trade that the German Ambassador at this Court has inquired whether Her Majesty's Government intend to take part in the proposed International Maritime Conference at Washington.

Lord Salisbury will be glad to learn, at your convenience, the views of the Board of Trade in the matter.

I am, &c.
(Signed) T. V. LISTER.

No. 14.

Foreign Office to Board of Trade.

SIR VILLIERS LISTER presents his compliments to the Assistant Secretary, Marine Department, and is directed by the Marquis of Salisbury to state, for the information of the Board of Trade, with reference to the letter of the 28th ultimo, which was forwarded to his Lordship at Royat, that in his conversation with the United States' Minister at this Court on the subject of the proposed Maritime Conference at Washington, he reserved the expression of any opinion till the Board had been consulted. Lord Salisbury only expressed general sympathy with the objects of the Conference, and suggested that the best way of obtaining a practical result in any inquiry was to abstain from including too large a number of subjects.

Mr. Phelps' note of the 14th ultimo is herewith returned.

Foreign Office, September 4, 1888.

No. 15.

Board of Trade to Foreign Office.—(Received September 11.)

Sir, *Board of Trade, London, September* 8, 1888

WITH reference to previous correspondence, and more particularly to your letter of the 17th ultimo, transmitting, by direction of the Secretary of State for Foreign Affairs, a note from the American Minister in London on the subject of the Maritime Conference which it is proposed to hold in Washington next April, and expressing the hope of the United States' Government that the Government of Her Majesty may be represented thereat, I am directed by the Board of Trade to lay before you the following observations for the consideration of Lord Salisbury.

The Board of Trade are fully alive to the advantages which might arise from a thorough and practical discussion of some of the questions which are proposed to be referred to the Conference.

In their opinion, it would be of the greatest benefit if all the Maritime Powers could be brought to a common agreement on such matters as the "load line," and other Regulations which have been adopted by this country for the purpose of securing the safety and health of crews and passengers at sea; and therefore they note with special satisfaction Mr. Bayard's suggestion that the adoption of an uniform system for the loading of vessels should be brought before the proposed Conference by the Delegates of Her Majesty's Government. But it is to be observed that this subject, though peculiarly important to the British mercantile marine, is not specifically mentioned in the Act of Congress, so that its consideration by the Conference could only be justified by those general words of the Act which are wide enough to include any matter affecting vessels at sea; while, on the other hand, one of the questions named, viz., the question of flag signals, has already been to some extent dealt with in another manner. Some time since, an important Committee was appointed, consisting of the best experts of the day, to revise the present Code. That inquiry has resulted in a partial rearrangement of the Code, and it is about to be sent out to all the foreign Maritime Powers for their observations and consideration; it would therefore hardly seem necessary to include this subject in the order of reference to a Conference embracing so many other matters of importance.

The Board of Trade entirely concur in the view expressed by Lord Salisbury, that the best way of obtaining a practical result in any inquiry would be to abstain from including too large a number of subjects; and in order in insure this, they think that the wide range of discussion which would be possible under the provisions of the Act of Congress should be limited before the meeting of the Conference, and they would suggest that the attention of the United States' Government should be called to the points above referred to, and that they should be asked, in the first place, to forward an order of reference showing in detail the exact questions to which the deliberations of the Conference should be confined.

The Board of Trade would further observe that it is not stated what countries have been invited to send Delegates to the Conference, or what position has been

taken up by those countries. This involves a point which requires grave consideration before the invitation to the Conference could be properly accepted by Her Majesty's Government. The exceptional importance and extent of British maritime interests are fully admitted by Mr. Bayard, yet it is proposed that, in the disposition of questions to come before the Conference, no State is to be entitled to more than one vote. It cannot, of course, be supposed that Great Britain, whose tonnage is nearly equal to that of all other nations combined, would submit to be outvoted on matters of vital importance to shipping by Powers hardly possessing any mercantile marine at all, but difficulties might arise even in matters of minor consequence. For instance, it is possible that inventors might, through the medium of the Delegates of some of the smaller Powers, press upon the Conference the merits of their inventions, and by the votes of those Powers obtain the sanction of the Conference to contrivances which, although showing some mechanical skill, would be useless in practical seamanship. It would manifestly be very disadvantageous to British shipping that an important Conference should recommend appliances the use of which might entail a large and unnecessary expense.

The Board of Trade are not aware whether any precedents exist for a suggestion that the Powers taking part in the Conference shall be allowed such number of votes as would be fairly proportioned to their maritime interests, but they would be glad if the Foreign Office would consider the advisability of proposing such an arrangement to the Government of the United States. The extent of the mercantile marine of some of our Colonies, especially of Canada, affords additional reason in its favour. Should, however, any scheme of the kind be found impracticable, the Board of Trade think it absolutely essential that the Delegates who may be appointed to represent Her Majesty's Government should be distinctly instructed to inform the Conference that any proposals which they might make, or any action which the Conference might adopt, would not bind Her Majesty's Government, but would only be taken *ad referendum*.

In the event of Her Majesty's Government deciding to be represented at the proposed Conference, the Board of Trade will be prepared to name Delegates who they think would adequately represent British interests, and they have raised the above points, not with any desire to throw obstacles in the way of an acceptance of the cordial invitation of the United States' Government, but because it is necessary to bear in mind the exceptional disproportion between the interests of Great Britain in the subject-matter of the Conference and those of the other countries.

Should these points be satisfactorily arranged, the Board of Trade believe that a full and ample discussion at the Conference would be beneficial to the mercantile marine of this country.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 16.

The Marquis of Salisbury to Sir L. West.

Sir, *Foreign Office, October* 3, 1888.

I INCLOSE a copy of a note from the United States' Minister,* expressing, on behalf of his Government, the hope that Her Majesty's Government will be represented at the Maritime Conference which it is proposed to hold at Washington, and which formed the subject of your despatch of the 20th July last.

Her Majesty's Government are fully alive to the advantages which would arise from a thorough and practical discussion of some of the questions which are to be referred to the Conference. It would, in their opinion, be of the greatest benefit if all the Maritime Powers could be brought to a common agreement on such matters as the "load line," and other Regulations which have been adopted by this country for the purpose of securing the safety and health of crews and passengers at sea; and they therefore received with special satisfaction Mr. Bayard's suggestion that the adoption of an uniform system for the loading of vessels should be brought before the proposed Conference by the Delegates of Her Majesty's Government. But it is to be observed that this subject, though peculiarly important to the British

* No. 9.

mercantile marine, is not specifically mentioned in the Act of Congress, so that its consideration by the Conference, if the latter is to be entirely subject to the Act in question, would only be justified by those general words of the Act which are wide enough to include any matter affecting vessels at sea. It is to be observed, however, that one of the questions named, viz., flag signals, has already been to some extent dealt with in another manner. Some time since an important Committee was appointed, consisting of the best experts of the day, to revise the present Code. That inquiry has resulted in a partial rearrangement of the Code, which, in its amended form, is about to be sent to all the Maritime Powers for their observations and consideration; it would therefore hardly seem necessary to include this subject in the order of reference to a Conference embracing so many other matters of importance.

Her Majesty's Government are very decidedly of opinion that the best way of obtaining a practical result at the Conference would be to abstain from including too large a number of subjects on its agenda paper. They would therefore suggest that the wide range of discussion which would be possible under the provisions of the Act of Congress should be limited before the meeting of the Conference; and they would be glad to receive an order of reference, or programme of the subjects to be discussed, showing in detail the exact questions which the deliberations of the Conference will comprise.

Her Majesty's Government would also be glad to know what countries have been invited to take part in the Conference, as well as the conditions and reservations, if any, under which their acceptance of the invitation has been given.

Should Her Majesty's Government be represented, it must, of course, be understood that, as is the constant practice at Technical Conferences of this nature, Great Britain will be represented by Delegates who will not have power to bind Her Majesty's Government to any proposals which the British Delegates may make, and, likewise, any action which the Conference may adopt or recommend would, in the usual course, be *ad referendum* only for the consideration and decision of the Governments represented.

I have to request you to address to the Government of the United States a communication in the sense of the above.

I inclose, for your private information, a copy of the letter from the Board of Trade on the subject of the proposed Conference.*

I am, &c.
(Signed) SALISBURY.

No. 17.

Mr. Phelps to the Marquis of Salisbury.—(*Received October* 6.)

My Lord, *Legation of the United States, London, October* 5, 1888.

I AM requested by my Government to recall your Lordship's attention to its proposal, which I had the honour to communicate to you by note of the 14th August last, that Her Majesty's Government should send Delegates to an International Conference which it is intended to hold at Washington for the purpose of proposing improvements in the existing Regulations for preventing the loss of life and property at sea by collision and other accidents.

I am now requested by the Secretary of State of the United States to ask for as early a reply as may be convenient to this proposal, for the reason that action in respect to it, under the Acts of Congress relating to the subject, is desirable and cannot usefully be taken until such reply is received.

As in my former note I inclosed to your Lordship a copy of the instruction I had received from my Government, in which the scope of the proposed Conference, and the necessity for it, are fully and clearly set forth, and as in the conversation I had the honour to hold with your Lordship relating to it the subject was fully gone into, I add nothing further to what has thus been laid before you.

I beg respectfully to refer to my former note and its inclosures. And I venture to express the hope that Her Majesty's Government may see their way to concur

* No. 15.

with that of the United States in a proposal so humane and desirable, and which without such concurrence must largely fail of effect.

I have, &c.
(Signed) E. J. PHELPS.

No. 18.

M. Jusserand to the Marquis of Salisbury.—(Received October 8.)

M. le Marquis, *Londres, le 5 Octobre*, 1888.

LE Gouvernement des États-Unis a récemment invité le Gouvernement Français à prendre part à une Conférence Internationale qui doit s'ouvrir, le 17 Avril prochain, à Washington, en vue de réviser le Code International des Signaux et les Règlements actuellement en vigueur pour éviter les collisions en mer.

Au moment de répondre à cette invitation, le Gouvernement de la République serait heureux de connaître les intentions du Cabinet Britannique, en ce qui concerne spécialement le nombre et le grade des Délégués que les Ministres de la Reine se proposeraient d'envoyer à Washington.

J'ai l'honneur de faire part de ce désir à votre Seigneurie et je serais très heureux si elle voulait bien me mettre en mesure de répondre, dès qu'il lui sera possible, à la demande de mon Gouvernement.

Veuillez, &c.
(Signé) JUSSERAND.

(Translation.)

M. le Marquis, *London, October 5*, 1888.

THE Government of the United States have recently invited the French Government to take part in an International Conference which is to assemble on the 17th April next at Washington, with a view to revising the International Code of Signals and the Regulations actually in force for avoiding collisions at sea.

When answering this invitation the Government of the Republic would be glad to know the intentions of the British Cabinet, in relation specially to the number and rank of the Delegates whom the Ministers of the Queen propose to send to Washington.

I have the honour to communicate to your Lordship this wish, and I shall be very glad if you would be good enough to enable me to answer as soon as possible the inquiry of my Government.

I avail, &c.
(Signed) JUSSERAND.

No. 19.

The Marquis of Salisbury to Mr. Phelps.

Sir, *Foreign Office, October 8*, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 5th instant respecting the representation of Her Majesty's Government at the forthcoming Maritime Conference, and, in reply, I have to request that you will be good enough to convey the following observations to the United States' Government.

Her Majesty's Government are fully alive to the advantages which would arise from a thorough and practical discussion of some of the questions which are to be referred to the Conference. It would, in their opinion, be of the greatest benefit if all the Maritime Powers could be brought to a common agreement on such matters as the "load line" and other Regulations which have been adopted by this country for the purpose of securing the safety and health of crews and passengers at sea; and they therefore received with special satisfaction Mr. Bayard's suggestion that the adoption of an uniform system for the loading of vessels should be brought before the proposed Conference by the Delegates of Her Majesty's Government. But it is to be observed that this subject, though peculiarly important to the British

mercantile marine, is not specifically mentioned in the Act of Congress, so that its consideration by the Conference, if the latter is to be entirely subject to the Act in question, would only be justified by those general words of the Act which are wide enough to include any matter affecting vessels at sea. It is to be observed, however, that one of the questions named, viz., flag signals, has already been to some extent dealt with in another manner. Some time since, an important Committee was appointed, consisting of the best experts of the day, to revise the present Code. That inquiry has resulted in a partial rearrangement of the Code, which in its amended form is about to be sent to all the Maritime Powers for their observations and consideration; it would therefore hardly seem necessary to include this subject in the order of reference to a Conference embracing so many other matters of importance.

Her Majesty's Government are very decidedly of opinion that the best way of obtaining a practical result at the Conference would be to abstain from including too large a number of subjects on its agenda paper. They would therefore suggest that the wide range of discussion which would be possible under the provisions of the Act of Congress should be limited before the meeting of the Conference; and they would be glad to receive an order of reference, or programme of the subjects to be discussed, showing in detail the exact questions which the deliberations of the Conference will comprise.

Her Majesty's Government would also be glad to know what countries have been invited to take part in the Conference, as well as the conditions and reservations, if any, under which their acceptance of the invitation has been given.

Should Her Majesty's Government be represented, it must of course be understood that, as is the constant practice at Technical Conferences of this nature, Great Britain will be represented by Delegates who will not have power to bind Her Majesty's Government to any proposals which the British Delegates may make, and, likewise, any action which the Conference may adopt or recommend would, in the usual course, be *ad referendum* only for the consideration and decision of the Government represented.

Her Majesty's Minister at Washington has already been instructed to address a communication to your Government in the above sense.

I have, &c.
(Signed) SALISBURY.

No. 20.

The Marquis of Salisbury to M. Jusserand.

M. le Chargé d'Affaires, *Foreign Office, October* 18,

I HAVE the honour to acknowledge the receipt of your note of the 5th instant, in which you inquire, on behalf of the French Government, what are the intentions of Her Majesty's Government relative to the invitation of the United States' Government to take part in a Maritime Conference which it is proposed to hold at Washington, especially as regards the number and rank of the Delegates whom they propose to send to the Conference.

In reply, I have the honour to inclose, for the information of the French Government, an extract of a despatch which I addressed on the 3rd instant to Her Majesty's Minister at Washington, stating the views of Her Majesty's Government respecting the proposed Conference.*

Her Majesty's Minister has been directed to address a note to the United States' Government in the sense of these observations.

I have, &c.
(Signed) SALISBURY.

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* No. 16 (extract).

No. 21.

*The Marquis of Salisbury to Count Hatzfeldt.**

M. l'Ambassadeur, *Foreign Office, October* 18, 1888.

WITH reference to the inquiry which you made at this Office on the 30th August, as to the nature of the reply which has been made by Her Majesty's Government to the invitation of the United States' Government to take part in a Maritime Conference which it is proposed to hold at Washington, I have the honour to transmit to you an extract of a despatch which I addressed on the 3rd instant to Her Majesty's Minister in the United States stating the views of Her Majesty's Government respecting the proposed Conference.†

Her Majesty's Representative has been directed to address a note to the United States' Government in the sense of these observations.

I have, &c.
(Signed) SALISBURY.

No. 22.

M. Jusserand to the Marquis of Salisbury.—(Received October 22.)

M. le Marquis, *Londres, le* 20 *Octobre,* 1888.

VOTRE Seigneurie a bien voulu me faire parvenir, le 18 de ce mois, en réponse à ma communication du 5, copie des instructions adressées par le Cabinet Britannique au Représentant de la Reine à Washington relativement à la réunion, dans cette ville, d'une Conférence pour la révision de divers Règlements maritimes internationaux.

Je m'empresse d'accuser réception à votre Seigneurie de ce document et de lui adresser mes remerciements pour l'obligeance avec laquelle elle a bien voulu m'en donner connaissance.

Veuillez, &c.
(Signé) JUSSERAND.

(Translation.)

M. le Marquis, *London, October* 20, 1888.

YOUR Lordship was good enough to send to me, on the 18th of this month, in reply to my communication of the 5th, copy of the instructions addressed by the British Cabinet to the Queen's Representative at Washington relative to the meeting in that city of a Conference for the revision of the various International Maritime Regulations.

I hasten to acknowledge to your Lordship the receipt of that document, and to convey to you my thanks for the kindness with which you have been good enough to bring it to my knowledge.

I avail, &c.
(Signed) JUSSERAND.

No. 23.

Mr. Phelps to the Marquis of Salisbury.—(Received October 26.)

My Lord, *Legation of the United States, London, October* 26, 1888.

REFERRING to your Lordship's note of the 8th October in regard to the proposed Maritime Conference, and to the conversation I had the honour to hold with your Lordship yesterday upon the same subject, I have now to say that I am informed, by cable telegram from the Secretary of State of the United States, that the suggestions on the part of Her Majesty's Government contained in the note above mentioned are satisfactory to my Government, and will be adopted in the arrangements for the Conference.

It is believed by my Government that the language of the Act of Congress

* Also to M. de Soveral. † No. 16.

under which it is acting is broad enough to embrace the subject of the "load line" mentioned in your Lordship's note.

The programme of subjects proposed to be submitted to the Conference is being prepared, and will be transmitted to Her Majesty's Government without delay; and also a statement of the Governments it is intended to invite to be epresented.

I am, at the same time, instructed by my Government to say that time is very naterial to its successful action in the premises; and specially to request of your Lordship, inasmuch as all steps necessary to be taken are deferred until the definite assent of Her Majesty's Government to be represented in the Conference is obtained, that such assent may be accorded, subject to the suggestions and limitations contained in your Lordship's note above referred to, at as early a moment as may be convenient, in order that I may transmit it by cable; and I shall have the honour to submit to your Lordship the papers above mentioned as soon as they can be prepared and transmitted.

Under the peculiar circumstances that attend the matter at Washington, I venture to ask of your Lordship's kindness the favour of an early reply.

I have, &c.
(Signed) E. J. PHELPS.

No. 24.

Foreign Office to Board of Trade.

Sir, *Foreign Office, October 29, 1888.*

WITH reference to your letter of the 29th ultimo respecting the proposed Maritime Conference at Washington, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Board of Trade, copy of a note from the United States' Minister at this Court,* stating, in reply to the inquiry which I made through Her Majesty's Minister at Washington, that the United States' Government will adopt the suggestions put forward by the Board, and hope that Her Majesty's Government will now consent to take part in the Conference, and will give an early answer.

A similar communication has been addressed to the Admiralty, and Lord Salisbury will be glad if the Board will consult with that Office as to the reply which should be returned to the invitation of the United States' Government.

I am, &c.
(Signed) P. CURRIE.

No. 25.

Foreign Office to Admiralty.

Sir, *Foreign Office, October 29, 1888.*

I AM directed by the Marquis of Salisbury to transmit herewith the papers noted in the margin,† upon the subject of an International Maritime Conference which the United States' Government propose should be held at Washington. The Secretary of State has already been in communication with the Board of Trade, and I am to request you, in laying this letter before the Lords Commissioners of the Admiralty, to state that Lord Salisbury will be glad if their Lordships will consult with that Office as to the reply which should now be returned to the invitation of the United States' Government.

I am, &c.
(Signed) P. CURRIE.

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* No. 23.

† Nos. 9, 16, and 23.

No. 26.

Count Piper to the Marquis of Salisoury.—(*Received November* 3.)

M. le Marquis, *Londres, le* 2 *Novembre*, 1888.

J'AI l'honneur d'invoquer la bienveillante entremise de votre Seigneurie à l'effet de savoir s'il entre dans les intentions du Gouvernement de la Reine de prendre part aux Conférences qui vont s'ouvrir au mois d'Avril prochain à Washington, et où seront traitées diverses questions se rapportant aux droits et Règlements maritimes.

Cette demande m'est adressée télégraphiquement par le Gouvernement du Roi, et je serais on ne peut plus reconnaissant à votre Seigneurie de bien vouloir me mettre en mesure de transmettre ce renseignement à Stockholm.

Je saisis, &c.

(Signé) EDW. PIPER.

(Translation.)

M. le Marquis, *London, November* 2, 1888.

I HAVE the honour to appeal to your Lordship's obliging courtesy and to ask whether Her Majesty's Government intend to take part in the Conferences which are about to assemble in April next at Washington, and in which will be dealt with various questions relating to maritime rights and Regulations.

This inquiry is addressed to me, by telegraph, by the King's Government, and I shall be very grateful to your Lordship if you will be good enough to enable me to send the information to Stockholm.

I avail, &c.

(Signed) EDW. PIPER.

Inclosure in No. 26.

Count Ehrensvärd to Count Piper.

(Télégraphique.)

TÉLÉGRAPHIEZ si Gouvernement Britannique prendra part Conférence Maritime Washington Avril prochain.

(Translation.)

(Telegraphic.)

TELEGRAPH if the British Government will take part in the Washington Maritime Conference next April.

No. 27.

The Marquis of Salisbury to Count Piper.

M. le Ministre, *Foreign Office, November* 5, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant, inquiring, on behalf of the Swedish Government, whether Her Majesty's Government intend to take part in the Maritime Conference which the United States' Government propose to hold at Washington in April next.

In reply, I have the honour to inclose, for the information of the Swedish Government, an extract of a despatch which I addressed, on the 3rd ultimo, to Her Majesty's Minister at Washington,* stating the views of Her Majesty's Government respecting the proposed Conference.

Her Majesty's Minister was instructed to address a note to the United States' Government in the sense of these observations.

I have, &c.

(Signed) SALISBURY.

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* No. 16.

No. 28.

Admiralty to Foreign Office.—(*Received November* 7.)

Sir, *Admiralty, November* 6, 1888.

WITH reference to your letter of the 29th October, forwarding certain papers upon the subject of an International Maritime Conference which the United States propose should be held at Washington, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Secretary of State for Foreign Affairs that they will consult the Board of Trade on the subject, but cannot come to a conclusion on such an important matter without due deliberation.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 29.

Lord Sackville to the Marquis of Salisbury.—(*Received November* 12.)

My Lord, *Washington, October* 30, 1888.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 3rd instant, relative to the International Maritime Conference which it is proposed to hold at Washington, and to forward herewith copy of a note which I have addressed to the United States' Government.

It will be seen from the reply which I have received from the United States' Government, copy of which I also inclose, that the United States' Minister in London has been instructed to inform your Lordship that the representation of Her Majesty's Government at the Conference *ad referendum* would be satisfactory, and that as soon as the invitation shall be definitely accepted by Her Majesty's Government, the American Commission will be appointed. and will at once formulate a programme and will make every effort to simplify it so as to meet the views of Her Majesty's Government.

I have, &c.
(Signed) SACKVILLE.

Inclosure 1 in No. 29.

Sir L. West to Mr. Bayard.

Sir, *Washington, October* 22, 1888.

WITH reference to the invitation conveyed to Her Majesty's Government by the Government of the United States to take part in an International Maritime Conference to be held at Washington in April next, I have the honour to inform you that I am instructed by the Marquis of Salisbury to state that Her Majesty's Government are fully alive to the advantages which would arise from a thorough and practical discussion of the questions which are to be referred to it. It would be, in their opinion, of the greatest benefit if all the Maritime Powers could be brought to a common agreement on such matters as the "load line" and other Regulations which have been adopted by Great Britain for the purpose of securing the safety and health of crews and passengers at sea, and they therefore received with special satisfaction your suggestion that the adoption of an uniform system for the loading of vessels should be brought before the proposed Conference by the Delegates of Her Majesty's Government. But it is to be observed that this subject, though peculiarly important to the British mercantile marine, is not specifically mentioned in the Act of Congress, so that its consideration by the Conference, if the latter is to be entirely subject to the Act in question, would only be justified by those words of the Act which are wide enough to include any matter affecting vessels at sea. It is, however, to be observed that one of the questions named, viz., "flag signals," has already been to some extent dealt with in another manner. Some time since, an important Committee was appointed, consisting of the best experts of the day, to revise the present Code. That inquiry resulted in a partial rearrangement of the Code, which, in its amended form, is about to be sent to all the Maritime Powers for their observations and consideration; it would therefore seem hardly necessary to include this subject in the order of reference to a Conference embracing so many other matters of importance.

Her Majesty's Government are very decidedly of opinion that the best way of obtaining a practical result at the Conference would be to abstain from including too large a number of subjects on its agenda paper. They would therefore suggest that the wide range of discussion which would be possible under the provisions of the Act of Congress should be limited before the meeting of the Conference, and they would be glad to receive an order of reference, or programme of the subjects to be discussed, showing in detail the exact questions which the deliberations of the Conference will comprise.

Her Majesty's Government would also be glad to know what countries have been invited to join in the Conference, as well as the conditions and reservations, if any, under which their acceptance of the invitation has been given. Should Her Majesty's Government be represented, it must of course be understood that, as is the constant practice at Technical Conferences of this nature, Great Britain will be represented by Delegates who will not have power to bind Her Majesty's Government. Any proposals which the British Delegates may make, and likewise any action which the Conference may adopt or recommend, would, in the usual course, be *ad referendum* only for the consideration and decision of the Government represented.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 2 in No. 29.

Mr. Rives to Lord Sackville.

My Lord, *Washington, October* 24, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 22nd instant, making certain suggestions on behalf of your Government with a view to arriving at an understanding as to the precise questions to be submitted to the proposed Washington International Maritime Conference.

In reply, I have the honour to inform you that the views of Her Britannic Majesty's Government with reference to this subject, substantially as expressed in your note, having been learned through the American Legation at London, this Department, on the 22nd instant, before the receipt of your communication, had instructed Mr. Phelps by telegraph to say to Lord Salisbury that the representation of his Government at the Conference *ad referendum* would be satisfactory, and that as soon as the invitation shall be definitely accepted by Her Majesty's Government, the American Commission will be appointed, and will at once formulate a programme, and will make every effort to simplify it so as to meet the views of Her Majesty's Government.

The Department hopes that the above explanation will enable Her Majesty's Government to see its way clear to definitely accepting the invitation, in view of the fact that but little time remains for preliminaries, and early action is therefore very desirable.

I have, &c.
(Signed) G. L. RIVES, *Acting Secretary.*

No. 30.

Admiralty to Foreign Office.—(Received December 5.)

Sir, *Admiralty, December* 4, 1888.

REFERRING to your letter of the 29th October last, I am commanded by my Lords Commissioners of the Admiralty to state, for the information of the Marquis of Salisbury, that their Lordships have been in consultation with the Board of Trade in regard to the reply which should be returned to the proposal of the United States' Government that Her Majesty's Government should be represented at an International Maritime Conference to be held at Washington.

2. In regard to such of the subjects proposed for discussion at the Conference as affect the Naval Service, my Lords desire me to offer the following remarks:—

(1.) Their Lordships are not favourable to the idea of a Conference on any o the subjects in question, some of them not appearing to require any international settlement, whilst in respect to the others their Lordships do not consider that a Conference would be the best method of arriving at a mutual agreement.

(2.) My Lords are of opinion that the number of subjects in the proposal as it

stands is far too great, and the scope of the subjects themselves too wide, to afford any probability that a useful result would be arrived at; and their Lordships consider that the adhesion of Her Majesty's Government to the principle of a Conference should not, in any case, be given until the subjects have been reduced in number and are better defined.

(3.) On the supposition, however, that Her Majesty's Government may deem it desirable to consent to a Conference, my Lords are of opinion that such Conference should not meet until the points to be discussed in connection with each subject admitted have been defined by previous correspondence between the Governments sending Delegates. It would also be desirable, in my Lords' opinion, that the propositions and amendments to be brought forward should be, as far as possible, determined beforehand, and communicated to the different Delegates.

The only subjects which my Lords consider are in any way suitable for international discussion are:—

(*a.*) Signals in fog, &c., to indicate a ship's course.

(*b.*) Such portion of the proposition relating to navigational warnings as may relate to an uniform system of buoyage.

(*c.*) The Regulations for preventing collisions at sea; provided that the points to be discussed are strictly laid down beforehand.

3. The above subjects would, in the opinion of my Lords, afford ample material for discussion by the proposed Conference, apart from any questions which come within the province of the Board of Trade only.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 31.

Board of Trade to Foreign Office.—(*Received December* 10.)

Sir, *Board of Trade, London, December* 8, 1888.

WITH reference to previous correspondence, I am directed by the Board of Trade to state, for the information of the Marquis of Salisbury, that, in accordance with the desire expressed in your last letter, they have consulted with the Lords Commissioners of the Admiralty as to the reply which should be returned to the invitation of the United States' Government. As the result of that consultation, the Board learn that the Lords Commissioners of the Admiralty have addressed a letter to the Foreign Office fully embodying their views in regard to such of the subjects suggested for consideration at the Conference as more particularly affect the Naval Service, and with the views expressed therein the Board of Trade entirely concur.

As regards those points more particularly affecting the mercantile marine, and dealt with by the Board of Trade, they have to observe that, as regards signals in fog, &c., to indicate a ship's course, a Committee is now sitting to consider the revision of the International Code of Signals, and that such Committee is composed of members most competent to deal with the matter. To this Committee the various proposed systems of fog signals, &c., have been submitted for consideration, and it appears to the Board that, upon the receipt of the Committee's Report in the matter, a good basis will have been arrived at to work on, and that, at present, further consideration of the matter is unnecessary.

Until a more definite reply is received from the United States' Government, defining more clearly the actual subjects proposed to be considered, the Board are not in a position to go beyond the substance of their letter of the 8th September.

On the whole, the Board of Trade fully concur with the Lords Commissioners of the Admiralty in their doubts as to the usefulness of a Conference unless the subjects to be discussed are clearly laid down.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 32.

Count Deym to the Marquis of Salisbury.—(*Received December* 20.)

M. le Marquis, *Belgrave Square, le* 17 *Décembre*, 1888.

LA Légation des États-Unis d'Amérique à Vienne a transmis au Gouvernement Impérial et Royal une invitation à se faire représenter au Congrès des États

Maritimes, qui doit se réunir à Washington le 17 Avril prochain, dans le but de perfectionner les moyens de protection des personnes et des biens en pleine mer.

Tout en appréciant hautement l'importance d'arriver à un accord international sur les matières dont aura à s'occuper le Congrès en question, mon Gouvernement désirerait, avant de s'engager par une réponse définitive, connaître l'attitude que le Cabinet de Saint-James compte prendre à ce sujet.

J'ai par conséquent l'honneur de m'adresser à votre Excellence, en la priant de vouloir bien me communiquer ses intentions concernant la proposition du Gouvernement de Washington.

Veuillez, &c.
(Signé) DEYM.

(Translation.)

M. le Marquis, *Belgrave Square, December* 17, 1888.

THE Legation of the United States of America at Vienna has transmitted to the Imperial and Royal Government an invitation to be represented at the Congress of Maritime States which is to assemble at Washington on the 17th of next April, with the object of perfecting the means of protection of persons and property on the high seas.

While entertaining a high appreciation of the importance of coming to an international agreement on the matters of which it will be the duty of the Congress in question to occupy itself, my Government would wish, before committing itself by a definitive answer, to know the attitude which the Cabinet of St. James' intends to adopt on this subject.

I have therefore the honour to address your Excellency, and beg you to be good enough to communicate to me their intentions respecting the proposal of the Government of Washington.

I avail, &c.
(Signed) DEYM.

No. 33.

The Marquis of Salisbury to Count Deym.

M. l'Ambassadeur, *Foreign Office, December* 22, 1888.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 17th instant, in which you inquire, on behalf of the Austro-Hungarian Government, what are the intentions of Her Majesty's Government relative to the invitation of the United States' Government to take part in a Maritime Conference which it is proposed to hold at Washington.

In reply, I have the honour to inclose, for the information of the Imperial Austro-Hungarian Government, an extract of a despatch which I addressed on the 3rd October to Her Majesty's Minister at Washington,* stating the views of Her Majesty's Government respecting the proposed Conference.

Her Majesty's Minister addressed a note to the United States' Government in the sense of these observations, and a communication has since been received, in reply, from that Government, but Her Majesty's Government have not come to any definite decision as to participating in the proposed Conference.

I have, &c.
(Signed) SALISBURY.

No. 34.

Mr. Phelps to the Marquis of Salisbury.—(*Received December* 24.)

My Lord, *Legation of the United States, London, December* 22, 1888.

WITH reference to my note of the 26th October last, to which I have not yet had the honour to receive a reply, I beg to acquaint your Lordship that I have

* No. 16.

been instructed this morning, by a cablegram from the Secretary of State, to recall to your attention the proposed International Maritime Conference at Washington, and to ask you to be so good as to inform me whether it be the intention of Her Majesty's Government to send Representatives to that Conference, subject to the conditions stated in my note above referred to.

I have, &c.
(Signed) E. J. PHELPS.

No. 35.

The Marquis of Salisbury to Mr. Phelps.

Sir, *Foreign Office, December* 29, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 22nd instant, requesting to be informed whether Her Majesty's Government intend to send Representatives to the proposed International Maritime Conference.

In reply, I beg leave to state that Her Majesty's Government are not yet in possession of the programme of subjects proposed to be considered at the Conference, or of the list of the Governments whom it is intended to invite, which, in your note of the 26th October last, you were so good as to inform me that it was intended to transmit; and that they would desire to have this information before giving an answer to the invitation of the United States' Government.

I have, &c.
(Signed) SALISBURY.

No. 36.

Mr. Phelps to the Marquis of Salisbury.—(Received January 4.)

My Lord, *Legation of the United States, London, January* 3, 1889.

REFERRING to your Lordship's note of the 29th December relative to the proposed Maritime Conference, I have the honour to acquaint you that I cabled the substance of it to my Government, and have this morning received telegraphic instructions to say to your Lordship, in reply, that the invitation itself contains a list of topics for discussion, and that no more detailed programme can well be formulated until British acceptance is secured. But that the Government of the United States desires to act in accordance with the views of Her Majesty's Government in respect to the topics to be considered.

I am further instructed to say to your Lordship that longer delay in the acceptance on the part of Great Britain will involve the probable failure of the Conference, and therefore the Secretary of State earnestly hopes that such acceptance will not be withheld.

He will be much obliged by the favour of an early reply.

I have, &c.
(Signed) E. J. PHELPS.

No. 37.

The Marquis of Salisbury to the Representatives in London of Germany, France, Austria, Portugal, and Sweden and Norway.

M. l'Ambassadeur,
M. le Ministre, *Foreign Office, January* 24, 1889.

WITH reference to my note of the on the subject of the proposed Maritime Conference at Washington, I have now the honour to state to you that I have informed the United States' Minister in London that Her Majesty's Government accept the invitation of the United States' Government to the Conference, subject to two reservations:—

1. That, in accordance with the ordinary international practice, they will not be bound by any vote of the Delegates to which the Representatives of Her Majesty's Government has not assented.

2. That the particular questions to be submitted to the Conference shall be agreed upon beforehand by the Governments taking part in it.

I have, &c.
(Signed) SALISBURY.

No. 38.

The Marquis of Salisbury to Mr. Phelps.

Sir, *Foreign Office, January* 24, 1889.

I HAVE the honour to acknowledge the receipt of your note of the 3rd instant, in which you inform me that you cabled to the United States' Government the substance of my note of the 29th December relative to the proposed Maritime Conference, and that you have received instructions by telegraph to inform me, in reply, that the invitation itself contains a list of topics for discussion, and that no more detailed programme can well be formulated until the acceptance of Her Majesty's Government of the invitation to the Conference is secured.

You add that the United States' Government desires to act in accordance with the views of Her Majesty's Government in respect to the topics to be considered, and that you are further instructed to say that a longer delay in the acceptance on the part of Great Britain will involve the probable failure of the Conference, and therefore the Secretary of State earnestly hopes that such acceptance will not be withheld.

I have the honour to inform you, in reply, that Her Majesty's Government accept the invitation of the United States' Government to the proposed Conference, subject to two reservations:—

1. In view of the proposal with respect to voting, made by Mr. Bayard in his note of the 30th July, in order to avoid misapprehension, Her Majesty's Government think it necessary to say that, in accordance with the ordinary international practice, they will not be bound by any vote to which Her Majesty's Representative at the Conference has not assented.

2. That the particular questions to be submitted to the Conference shall be agreed upon beforehand by the Governments taking part in it.

I beg leave to express my regret for the delay which has occurred in answering your note, and which is due to the papers having been accidentally mislaid in this Office.

I am, &c.
(Signed) SALISBURY.

No. 39.

*Foreign Office to Admiralty.**

Sir, *Foreign Office, January* 28, 1889.

WITH reference to your letter of the 4th ultimo [†and previous correspondence] respecting the proposed Maritime Conference to be held at Washington, I am directed by the Marquis of Salisbury to state to you, for the information of the Lords Commissioners of the Admiralty, that the American Minister in London has been informed that Her Majesty's Government accept the invitation of the United States' Government to the proposed Conference, subject to two reservations:—

1. That they will not be bound by any decision to which their Representative did not assent.

2. That the subjects to be considered by the Conference shall be previously agreed upon by the Powers who are parties to it.

I am, &c.
(Signed) JAMES FERGUSSON.

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* Also to Board of Trade.

† To Board of Trade only.

No. 40.

Mr. Herbert to the Marquis of Salisbury.—(Received February 2.)

My Lord, *Washington, January 16, 1889.*

I HAVE the honour to inform your Lordship that it was stated in this morning's newspapers here that the United States' Government had withdrawn the invitations to the proposed International Conference owing to the difficulties alleged to have been made by Great Britain with regard to the project.

I have this afternoon received a letter from the Assistant Secretary of State, with whom I immediately communicated on the subject, in which he (the Assistant Secretary of State) informs me that the report is incorrect, but he says, at the same time, that the United States' Government have decided to postpone the meeting of the Conference until the autumn.

Mr. Rives adds that the date originally fixed for the meeting is just three months from to-day, and that the authorities of the Navy Department are of opinion that this would be too short a time in which to prepare the preliminaries, even if the adhesion of Great Britain were now assured. It has therefore become necessary to postpone it until after the hot weather is over.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 41.

*Foreign Office to Board of Trade.**

Sir, *Foreign Office, February 2, 1889.*

WITH reference to the letter from this Office of the 28th ultimo, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, an extract from a despatch from Her Majesty's Chargé d'Affaires at Washington on the subject of the proposed International Maritime Conference.†

I am, &c.

(Signed) JAMES FERGUSSON.

No. 42.

Mr. Herbert to the Marquis of Salisbury.—(Received February 4.)

Sir, *Washington, January 21, 1889.*

WITH reference to my despatch of the 16th instant, I have the honour to report that I have to-day been officially informed by Mr. Bayard "that the International Conference invited to meet in the city of Washington on Wednesday, the 17th April, 1889, for the purpose of securing greater safety for life and property at sea, is, owing to the unexpected delay in receiving the responses of important maritime countries, postponed until some time in the early autumn of this year, and that the date, when fixed, will be communicated as soon as possible.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 43.

Mr. H. White to the Marquis of Salisbury.—(Received February 4.)

My Lord, *Legation of the United States, London, February 2, 1889.*

I HAVE the honour, in accordance with instructions from my Government, to acquaint your Lordship that, for the reasons stated in Mr. Bayard's despatch of the

* Also to Admiralty.

† No. 40.

15th January, of which I inclose a copy herewith, the President has deemed it advisable to postpone the meeting of the International Maritime Conference from the 17th April to the early autumn of this year; and I beg furthermore to add that the date of meeting, when fixed, will be communicated without delay to Her Majesty's Government.

I have, &c.
(Signed) HENRY WHITE.

Inclosure in No. 43.

Mr. Bayard to Mr. Phelps.

Sir, *Department of State, Washington, January* 15, 1889.

REFERRING to my instruction of the 30th July last, which directed you to tender to the Government of Great Britain an invitation to be represented at an International Conference to meet in the city of Washington on Wednesday, the 17th April, 1889, for the purpose of securing greater safety for life and property at sea, I have now to inform you that, owing to the unexpected delay in receiving the responses of important maritime countries, and in particular that of Great Britain, and in view of the limited time remaining within which to prepare the programme of the subjects to be brought before the Conference, and communicate the same to the several Governments for their information and use in instructing their Delegates, the President has deemed it advisable to postpone the meeting of the Conference until a later date permitting the seasonable completion of the necessary preliminary arrangements.

By direction of the President, therefore, I have to request you to inform the Government of Great Britain, through the Minister for Foreign Affairs, that the meeting of the Conference in question, which was set for the 17th April next, is postponed until some time in the early autumn of this year, 1889, and that the date, when fixed, will be communicated as soon as possible.

I am, &c.
(Signed) T. F. BAYARD.

No. 44.

The Marquis of Salisbury to Mr. White.

Sir, *Foreign Office, February* 5, 1889.

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant, informing me that the date of meeting of the proposed International Maritime Conference has been postponed from the 17th April to the autumn.

I have, &c.
(Signed) SALISBURY.

No. 45.

Admiralty to Foreign Office.—(Received February 7.)

Sir, *Admiralty, February* 6, 1889.

I AM commanded by my Lords Commissioners of the Admiralty to acknowledge the receipt of your letter of the 28th ultimo, notifying to my Lords that Her Majesty's Government have accepted the invitation of the United States' Government to the proposed Maritime Conference, to be held at Washington, subject to two reservations.

2. Under the wording of the first of these reservations, it appears to my Lords that if the British Representative at the Conference does agree to any Resolution arrived at, Her Majesty's Government will be bound by such Resolution; and as under such an arrangement their Lordships may find themselves committed to inconvenient propositions, I am to request that you will move the Secretary of State

to cause my Lords to be informed whether they are correct in presuming that any conclusions the Conference may arrive at will still be *ad referendum*.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 46.

Foreign Office to Admiralty.

Sir, *Foreign Office, February* 9, 1889.

IN reply to your letter of the 6th instant, I am directed by the Marquis of Salisbury to state, for the information of the Lords Commissioners of the Admiralty, that any conclusions arrived at by the International Maritime Conference, to be held at Washington, will be merely *ad referendum*.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 47.

Mr. Herbert to the Marquis of Salisbury.—(Received February 19.)

My Lord, *Washington, February* 6, 1889.

MR. RIVES told me to-day that your Lordship's note to Mr. Phelps of the 24th ultimo, announcing the acceptance, with certain reservations by Her Majesty's Government of the invitation of the United States, Government to take part in the Maritime Conference, had just been received, and that the appointment of the American Delegates would consequently be made out almost immediately.

These gentlemen, who are to be seven in number, will shortly meet in Washington and draw up a programme, which will be submitted in about six weeks' time to the various Powers who have consented to join the Conference.

I have, &c.
(Signed) MICHAEL H. HERBERT.

No. 48.

Mr. White to the Marquis of Salisbury.—(Received March 13.)

My Lord, *Legation of the United States, London, March* 12, 1889.

WITH reference to my note of the 2nd ultimo relative to the postponement of the meeting of the International Marine Conference, I now have the honour to acquaint your Lordship, in accordance with instructions contained in a despatch, of which I inclose a copy herewith, that the Conference will meet at Washington on Wednesday, the 16th October next.

The Delegates on the part of the United States, whose names will be found in the inclosed despatch, have already been appointed, and they have been directed to formulate a detailed programme for the deliberation of the Conference, which will be submitted, as soon as prepared, to the several Powers who are to be there represented.

Should this programme, when submitted, not be satisfactory, it is understood that, in view of the reservations made in your Lordship's note to Mr. Phelps of the 24th January last, Her Majesty's Government will be at liberty to withdraw their acceptance of the invitation of the United States' Government to the Marine Conference.

With regard to the first of these reservations, namely, that Her Majesty's Government will not be bound by any vote to which Her Majesty's Representative at the Conference has not assented, I am authorized to state that the understanding of my Government has been, that a representation of all the Powers *ad referendum* would be entirely satisfactory.

And with respect to the second reservation, viz., that the particular questions to be submitted to the Conference shall be agreed upon beforehand by the Governments to take part in it, I beg to add that there is likewise no objection on the part of my

Government, whose intention has always been that, as soon as such assurances of adhesion had been received from a sufficient number of the maritime Powers as to warrant reasonable expectations of success, the United States' Delegates should be appointed (as they now have been), and proceed to formulate a detailed programme for the deliberations of the Conference.

I have, &c.
(Signed) HENRY WHITE.

Inclosure in No. 48.

Mr. Bayard to Mr. White.

Sir, *Department of State, Washington, February* 27, 1889.

REFERRING to my instruction of the 15th January last, which informed you of the necessary postponement of the meeting of the Marine Conference intended to have been held at this capital on the 17th April next, I have now to inform you that since the date of that instruction additional replies have been received from several of the countries invited to participate.

The Governments of Brazil, Chile, Costa Rica, Denmark, France, Germany, Great Britain, Guatemala, Hawaii, Italy, Japan, the Netherlands, Nicaragua, Spain, Sweden and Norway, and Uruguay have all expressed their intention of being represented, and some have already appointed their Delegates.

The acceptance by these important maritime Powers gives gratifying assurance of the success of the Conference in effecting results of practical and lasting benefit; and a date may now be fixed for the meeting of the Conference, and steps taken to frame a detailed and definite programme. By direction of the President, therefore, I have to request you to inform Her Majesty's Government, through the appropriate channel, that the meeting of the Conference, which had been at one time proposed for the 17th April next, will take place on Wednesday, the 16th day of October, 1889.

I have further to inform you that the President has appointed the following-named persons as Delegates on the part of the United States, viz. :—

Rear-Admiral Samuel R. Franklin, United States' Navy; Commander William T. Sampson, United States' Navy; Sumner I. Kimball, General Superintendent United States' Life-Saving Service; James W. Norcross; John W. Shackford; William W. Goodrich; and Clement A. Griscom.

These Delegates have been instructed to assemble in Washington at an early date, and they will forthwith proceed to frame a detailed programme, in general accordance with the terms of the Act of Congress and of the instructions addressed to you on the 30th July last, which explained the President's views in regard to the scope and purposes of the intended Conference. It is expected that this programme will be ready by the 1st May next, and that it will then be submitted through our Legations abroad to the several Powers who have signified their intention to be represented.

It is proper also to observe—as the question has been asked by several Governments—that any proposals which the Delegates of the various Powers may make will be *ad referendum* only for the consideration and decision of the respective Governments.

Should the Government to which you are accredited have not already accepted the invitation extended through you, in accordance with my instructions of the 30th July, you are hereby directed to notify it of the fact of the postponement of the Conference, and to renew the invitation.

I am, &c.
(Signed) T. F. BAYARD.

No. 49.

Mr. Edwardes to the Marquis of Salisbury.—(Received March 15.)

My Lord, *Washington, March* 1, 1889.

I HAVE the honour to report that the Secretary of State has informed me, by a note dated the 27th ultimo, that the meeting of the International Marine Conference, to be held in the city of Washington, has been fixed by the President for the 16th October, 1889, and that the President has appointed Delegates on the

part of the United States, and that they will meet at an early date with a view to formulating the definite programme of the Conference.

Mr. Bayard informs me, at the same time, that the United States' Legation at London has been instructed to communicate these facts to your Lordship.

I have, &c.
(Signed) H. G. EDWARDES.

No. 50.

*Foreign Office to Board of Trade.**

Sir, *Foreign Office, March* 15, 1889.

WITH reference to my letter of the 2nd ultimo, I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Board of Trade, the accompanying note, as marked in the margin,† from the United States Chargé d'Affaires, announcing that the Maritime Conference will meet at Washington on the 16th October.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 51.

Mr. White to the Marquis of Salisbury.—(*Received May* 14.)

My Lord, *Legation of the United States, London, May* 13, 1889.

WITH reference to my note of the 12th March and to previous correspondence, I have the honour, in accordance with instructions from my Government, to transmit herewith to your Lordship twelve copies of the programme framed by the Delegates on the part of the United States of subjects to be considered at the International Marine Conference which is to assemble at Washington in October next.

I have, &c.
(Signed) HENRY WHITE.

Inclosure in No. 51.

Programme of Subjects to be considered by the International Marine Conference, October 1889.

Department of State, International Marine Conference,
Sir, *Washington, April* 3, 1889.

I HAVE the honour to inform you that, in conformity with the instructions of the State Department of the 27th February, 1889, the Delegates, on the part of the United States to the International Marine Conference, met on Monday, the 25th ultimo, organized, and proceeded to the consideration of a detailed programme of the subjects to be considered by the International Conference for transmission to the several Powers.

This programme was completed on the 30th ultimo, and is herewith inclosed.

The correspondence between the State Department and the British Government on this subject was examined, and, in conformity with the intentions of our Government therein expressed, a consideration of the "International Code of Flag Signals" was excluded from the programme, and a consideration of the "load-line" was included. With this exception and this addition, the entire subject-matter of the Act of Congress of the 9th July, 1888, was arranged in general divisions, following as nearly as possible the precise language of the Act. These general divisions were then carefully considered, and each was arranged under subdivisions and subheads.

It is believed that this arrangement in detail is sufficiently broad to include all matters bearing directly upon the principal topics, and care has been taken at the

* Also to Admiralty.

† No. 48.

same time to avoid extending the field of deliberations of the Conference beyond the limits indicated in the Act of Congress and its interpretation by the State Department.

Very respectfully,
(Signed) S. R. FRANKLIN, *Rear-Admiral, U. S. N.*,
President of the Board of American Delegates.

Hon. James G. Blaine, Secretary of State.

Detailed Programme of Subjects to be considered by the International Marine Conference.—Framed by the American Delegates in accordance with Instructions from the Department of State, March 1889.

General Division I.

Marine Signals or other Means of plainly Indicating the direction in which Vessels are moving in Fog, Mist, falling Snow, and thick Weather, and at Night.

Rules for the Prevention of Collisions and Rules of the Road.

1. Visibility, number, and position of lights to be carried by vessels.

(*a.*) Steamers under way.
(*b.*) Steamers towing.
(*c.*) Vessels under way, but not under command, including steamers laying cable.
(*d.*) Sailing-vessels under way.
(*e.*) Sailing-vessels towing.
(*f.*) Vessels at anchor.
(*g.*) Pilot vessels.
(*h.*) Fishing-vessels.

2. Sound signals; their character, number, range, and position of instruments.
(*a.*) For use in fog, mist, falling snow, and thick weather, as position signals.

For steamers under way.
For steamers towing.
For sailing-vessels under way.
For sailing-vessels towing.
(These signals to show the approximate course steered if possible.)
For vessels at anchor.
For vessels under way, but not under command, including steamers laying cable.

(*b.*) For use in all weathers as helm signals only.

For steamers meeting or crossing.
For steamers overtaking.
For steamers backing.

(*c.*) Whether helm signals shall be made compulsory or remain optional.

3. Steering and Sailing Rules.
(*a.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by each other.
(*b.*) Steamers meeting, crossing, overtaking, or being overtaken by each other.
(*c.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by steamers.
(*d.*) Steamers meeting, crossing, overtaking, or being overtaken by sailing-vessels.
(*e.*) Special Rules for channels and tide-ways, where no local Rules exist.
(*f.*) Conflict of international and local Rules.
(*g.*) Uniform system of commands to the helm.
(*h.*) Speed of vessels in thick weather.

General Division II.

Regulations to determine the Sea-worthiness of Vessels.

(*a.*) Construction of vessels.
(*b.*) Equipment of vessels.
(*c.*) Discipline of crew.
(*d.*) Sufficiency of crew.
(*e.*) Inspection of vessels.
(*f.*) Uniform certificates of inspection.

General Division III.

Draft to which Vessels should be Restricted when Loaded.

Uniform maximum load mark.

General Division IV.

Uniform Regulations regardiny the Designating and Marking of Vessels.

(*a.*) Position of name on vessels.
(*b.*) Position of name of port of registry on vessels.
(*c.*) Size of lettering.
(*d.*) Uniform system of draft marks.

General Division V.

Saving Life and Property from Shipwreck.

1. Saving of life and property from shipwreck at sea.
(*a.*) Duties of vessels after collision.
(*b.*) Apparatus for life-saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)
(*c.*) The use of oil and the necessary apparatus for its use.
(*d.*) Uniform inspections as to (*b*) and (*c*).
2. Saving of life and property from shipwreck by operations from shore.
a.) Organization of, and methods employed by life-saving institutions.
(*b.*) The employment of drilled and disciplined crews at life-saving stations.
(*c.*) The maintenance of a patrol upon dangerous coasts by night, and during thick weather by day, for warning off vessels standing into danger, and for the early discovery of wrecks.
(*d.*) Uniform means of transmitting information between stranded vessels and the shore.
(*e.*) Life-boats, life-saving apparatus and appliances.
3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

General Division VI.

Necessary Qualifications for Officers and Seamen, including Tests for Sight and Colour Blindness.

(*a.*) A uniform system of examination for the different grades.
(*b.*) Uniform tests for visual power and colour blindness.
(*c.*) General knowledge of methods employed at life-saving stations.
(*d.*) Uniform certificates of qualification.

General Division VII.

Lanes for Steamers on Frequented Routes.

(*a.*) With regard to the avoidance of steamer collisions.
(*b.*) With regard to the safety of fishermen.

General Division VIII.

Night Signals for communicating Information at Sea.

(*a.*) A code to be used in connection with the International Code Signal Book.

(*b.*) Or a supplementary code of limited scope to convey information of special importance to passing vessels.

(*c.*) Distress signals.

General Division IX.

Warnings of Approaching Storms.

(*a.*) The transmission of warnings.

(*b.*) The uniformity of signals employed.

General Division X.

Reporting, Marking, and Removing Dangerous Wrecks or Obstructions to Navigation.

(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts.

(*b.*) The division of the labour, cost, and responsibility among the several maritime nations, either by geographical apportionment or otherwise:

Of the removal of dangerous derelicts;

And of searching for doubtful dangers with a view of removing them from the Charts.

General Division XI.

Notice of Dangers to Navigation.—Notice of Changes in Lights, Buoys, and other Day and Night Marks.

(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations—to include the form of notices to mariners.

(*c.*) A uniform method of distributing this information.

General Division XII.

A uniform System of Buoys and Beacons.

(*a.*) Uniformity in colour of buoys.

(*b.*) Uniformity in numbering of buoys.

General Division XIII.

The Establishment of a Permanent International Maritime Commission.

(*a.*) The composition of the Commission.

(*b.*) Its powers and authority.

Proposed Grouping of Subjects for Consideration by Committees of the International Marine Conference.

1. Rules of the road and signals—General Divisions I and VIII.

2. Saving of life and property from shipwreck by operations from shore—General Division V, Subdivision No. 2.

3. Construction and equipment of vessels, and saving of life and property from shipwreck at sea—General Divisions II, III, and IV, and Subdivision No. 1 of V.
4. Qualifications of officers and seamen—General Division VI.
5. Steam lanes—General Division VII.
6. Official inquiries into shipwrecks and other casualties—General Division V, Subdivision No. 3.
7. Transmission of warnings and information, buoys, &c.—General Divisions IX, X, XI, and XII.
8. Permanent Maritime Commission—General Division XIII.

All of which is respectfully submitted.

(Signed) S. R. FRANKLIN, *Rear-Admiral.*
W. P. SAMPSON,
Commander, United States' Navy.
S. I. KIMBALL,
General Superintendent Life-Saving Service.
JAS. W. NORCROSS,
Master Mariner.
JOHN W. SHACKFORD,
Master, Merchant Marine.
WILLIAM W. GOODRICH,
Counsellor-at-Law.

No. 52.

*Foreign Office to Admiralty.**

Sir, *Foreign Office, May* 17, 1889.

WITH reference to the letter from this Office of the 15th March last, I am directed by the Marquis of Salisbury to transmit herewith, to be laid before the Lords Commissioners of the Admiralty, for their consideration, four copies of the programme framed by the Delegates of the United States of subjects to be considered at the International Marine Conference which is to assemble at Washington in October next.

[†I am to suggest, for the consideration of the Board, whether it might not be desirable to consult Lloyd's on the programme, as the Secretary has lately made inquiries of this Department on the subject.]

I am, &c.
(Signed) JAMES FERGUSSON.

No. 53.

The Marquis of Salisbury to Mr. White.

Sir, *Foreign Office, May* 17, 1889.

I HAVE the honour to acknowledge the receipt of your note of the 13th instant, inclosing twelve copies of the programme framed by the United States' Delegates of subjects to be considered at the International Marine Conference to be held at Washington, and I beg leave to inform you, in reply, that I have referred your note to the proper Departments of Her Majesty's Government.

I have, &c.
(Signed) SALISBURY.

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* Also to Board of Trade. † To Board of Trade only.

No. 54.

Sir J. Pauncefote to the Marquis of Salisbury.—(*Received May* 28.)

My Lord, *Washington, May* 14, 1889.

WITH reference to Mr. Herbert's despatch of the 6th February, and to previous correspondence on the subject of the International Marine Conference to be held in Washington next October, I have the honour to inclose copies of the detailed programme of the subjects to be considered, which has been framed by the Board of American Delegates in accordance with instructions from the Department of State.*

Your Lordship will see from the letter (attached to the inclosure) from the President of the Board to the Secretary of State, that the correspondence on the subject between Her Majesty's Government and the United States' Government has been examined, and in conformity with the intentions of the United States' Government, as therein expressed, the consideration of the "International Code of Flag Signals" has been excluded from the programme, and a consideration of the "load-line" has been included.

In view of the great interest which is attached in this country to the meeting of this Conference, and of the very important subjects to be discussed at it, I should be much obliged if your Lordship will inform me, as early as possible, of the names of the Delegates whom Her Majesty's Government propose to send to Washington to take part in the Conference.

The copy of the programme herewith inclosed has been sent to the Legation privately, but I will endeavour to procure other copies for transmission by to-day's mail.

I have, &c.
(Signed) J. PAUNCEFOTE.

No. 55.

Foreign Office to Board of Trade.†

Sir, *Foreign Office, May* 31, 1889.

WITH reference to the letter from this Office of the 17th instant, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Board of Trade, copy of a despatch from Her Majesty's Minister at Washington,‡ inclosing copy of the detailed programme of the subjects to be considered at the International Marine Conference to be held at Washington in October.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 56.

M. Catalani to the Marquis of Salisbury.—(*Received June* 11.)

(Translation.)

My Lord, 20, *Grosvenor Square, June* 7, 1889.

UNDER the auspices of the Government of the United States, there will meet at Washington in October next an International Conference convoked with a view to establish a uniform system of Rules and Signals for preventing collisions at sea.

In communicating to me the above information, the King's Government expresses a wish to know how many Delegates will represent the British Government, and what will be their rank: this information will be used to guide the Italian Government in choosing the Italian Delegates.

* See Inclosure in No. 51.

† Also to Admiralty. ‡ See No. 54

I should therefore be obliged if your Excellency, with your usual kindness, would put me in a position to answer the request made to me be my Government.

With anticipated thanks, I have, &c.

(Signed) T. CATALANI.

No. 57.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires, *Foreign Office, June* 15, 1889.

I HAVE the honour to acknowledge the receipt of your note of the 7th instant respecting the Maritime Conference at Washington, and, in reply, I beg to state that the number and rank of the British Delegates have not yet been decided on. When a decision has been come to, I shall do myself the honour to communicate it to you.

I have, &c.

(Signed) SALISBURY.

No. 58.

Admiralty to Foreign Office.—(Received June 18.)

Sir, *Admiralty, June* 15, 1889.

MY Lords Commissioners of the Admiralty have had under their consideration your letter of the 17th ultimo, forwarding copies of the programme framed by the Delegates of the United States of the subjects to be considered at the International Maritime Conference at Washington, and before replying have been in consultation with the Board of Trade on the subject.

2. In reply to your letter, and in reference to previous correspondence, my Lords request that you will state to the Marquis of Salisbury that they are of opinion that the programme is of so extensive a nature that there is no hope that any conclusion will be arrived at by the Conference within a reasonable time, seeing, especially, that each question has been a subject for argument for many years.

3. I am further to point out that the different subjects in which the Admiralty is interested would require an extension of the number of Delegates, in order that they may be discussed by officers properly acquainted with diverse technicalities.

4. My Lords are therefore of opinion (in which the Board of Trade concur) that, in the first instance, the deliberations of the Conference should be strictly confined to the consideration of General Section 1 (viz., regulations for prevention of collisions at sea), which would, from its complicated nature, and from the manner in which it is proposed to throw every detail open for discussion, afford ample food for many sittings.

5. Their Lordships would further suggest that when the discussion of this section, with its numerous subheads, has been brought to a conclusion, the question of the desirability of continuing the Conference should be considered in the light of experience, and a decision arrived at as to future action, observing that such a course would also give Her Majesty's Government an opportunity of considering whether future deliberations should not be held in England, as the country undoubtedly mostly interested in maritime matters.

I am, &c.

(Signed) EVAN MACGREGOR.

No. 59.

Board of Trade to Foreign Office.—(Received June 19.)

Sir, *Board of Trade, June* 19, 1889.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 17th ultimo, forwarding, for their consideration, copies of the programme,

framed by the Delegates of the United States, of subjects to be considered at the International Marine Conference which is to assemble at Washington in October next.

In reply I am to state, for the information of the Marquis of Salisbury, that, as the consent of Her Majesty's Government to take part in the Conference is at present conditional on their acceptance of this programme, the Board of Trade have carefully considered it, in consultation with the Admiralty, and have arrived at the following conclusions.

While they see no reason at the present moment to object to the subjects contained in the programme as in themselves unsuitable for international discussion, the scope of the programme as a whole appears to them far too extensive to afford any prospect that the Conference would arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration. They are also of opinion that if each country were to send Delegates specially qualified to discuss the various and intricate technical questions involved, it would be impossible to confine the number of the members of the Conference within convenient limits.

It should, moreover, be borne in mind that circumstances may arise at any moment during the Conference which might render the discussion of some or other of the subjects unnecessary or highly inconvenient, and that it is therefore desirable that Her Majesty's Government should not be committed to the whole programme, and that the order in which the divisions of it are taken should not be wholly at the discretion of the Conference.

For these reasons the Board of Trade would suggest, for the consideration of the Secretary of State for Foreign Affairs, that the consent of Her Majesty's Government to the programme should be provisional only; and that British Delegates should not be sent to the Conference except on the distinct understanding that (1) the proceedings will at first be strictly confined to the consideration of the subjects included in General Division 1, viz., lights and signals to be used on board ship, and Rules for the prevention of collisions at sea; and (2) that when the deliberations of the Conference on these subjects have come to an end, and before the Conference proceeds to the discussion of other questions, Her Majesty's Government will be allowed the opportunity of reviewing their position with regard to it.

They would then be in a position to send, if necessary, other Delegates specially chosen for their knowledge of the subject next selected for discussion, to suggest modifications of the programme, or even to withdraw from the Conference altogether. It might also be then a matter for consideration whether the further meetings of the Conference might not be more conveniently held at London or some other European capital.

I am to add that the Board of Trade observe with satisfaction that, as stated in your letter of the 28th January last, the Government of the United States agree that Her Majesty's Government shall not be bound by any decision to which their Representatives do not assent, but I am to point out that the opinion expressed in their letter of the 8th September last went somewhat further than this, and that they adhere to the view that Her Majesty's Government should not be bound even by the assent of their Representatives, because they consider that the Conference should rather be intrusted with the discussion and formation of international opinion than with the absolute decision of the questions referred to it. In order that this point may be quite clear, the Board of Trade think it highly desirable that the different questions before the Conference should not be put to the vote, but that the opinions of the Delegates of each country should be simply recorded, and regarded as strictly *ad referendum*.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 60.

Sir G. Baden-Powell, M.P., to Foreign Office.—(*Received June* 20.)

Dear Sir James, *House of Commons, June* 17, 1889.

RECENTLY I had had many communications from my constituents in Liverpool and many others connected with shipping as to the matters about to be

discussed, and perhaps adjudicated upon, at the forthcoming Maritime Conference in Washington, and as to the probable action of Her Majesty's Government.

I have drawn up the inclosed Memorandum on the subject, hoping it may be of some service. I think all shipping constituencies would be much pleased to think that represention from them in the matter would be cordially attended to.

I am sending a copy of the Memorandum to the Board of Trade, but inclose for you a copy of my pamphlet on territorial waters.

Believe me, &c.

(Signed) GEORGE BADEN-POWELL.

Inclosure in No. 60.

Memorandum on Proposed Maritime Conference at Washington, 1889.

IN view of the International Maritime Conference which is announced to be held in Washington in the autumn of 1889, it may be well to set out in detail the subjects with which that Conference may deal, and the points on which it might be desirable to have beforehand the opinions of the great shipping interests of the United Kingdom.

2. Authority, jurisdiction, and legalized regulations must, sooner or later, be set up on the high seas in a form more palpable and uniform than has hitherto prevailed.

Oversea intercourse has developed in a very remarkable degree, partly owing to the growth of new populations in America, Australia, and other distant lands, and partly to the substitution of steam for wind as the motive power, with the consequent increase in the certainty, speed, safety, and number of voyages.

The actual results are best seen in the records of the gross tonnage using the high seas:—

Year.	Tonnage.		
	Total.	Sailing.	Steam.
	Tons.	Tons.	Tons.
1850	7,100,000	6,900,000	200,000
1860	11,500,000	10,750,000	750,000
1888	18,000,000	10,500,000	7,500,000

3. The results of a Maritime Conference are of the highest importance to the British Empire, because British ships outnumber those of all other nations added together, whereas at an International Conference a Convention may be agreed to by a majority of States of a character greatly damaging to British shipping, even though the United Kingdom stand aloof.

4. In recent years many matters of jurisdiction or action on the high seas have been in dispute; as fishery rights, civil and criminal jurisdiction, salvage, right of search, rule of the road, and other matters; in all of which it is to the general interest of British shipping that full equality and reciprocity should rule among ships of all nationalities.

5. With reference to matters which may be brought before the International Maritime Conference, there are many bearing upon the prevention of loss of life and property, or establishing uniformity in the navigation and equipment of vessels on the high seas.

6. The following is a list of detailed subjects which have been named as proper for discussion at the approaching Conference:—

(A.)—*Casualties.*

i. Log entries of casualties: to be on uniform plan.

ii. Legal inquiries: put end to existing varieties of procedure, rules of evidence, &c.

iii. Helm orders: to be on one instead of two systems.

iv. Lights, including those for fishing and pilot vessels.

v. Signals in fog, and for distress day and night.

vi. Rule of the road on high seas and in narrow waters.
vii. Ocean routes: *e.g.*, Maury's Lanes.
viii. Life-saving appliances on board.
ix. Passenger regulations, number to be carried, &c.
x. Crew: adequate number, competency.
xi. Officers: number, certificates of competency.
xii. Hull: seaworthiness, safety bulkheads.
xiii. Machinery: condition, power, inspection.
xiv. Cargo: over-loading, stowage (grain).
xv. Derelicts and floating wreckage, power to destroy.
xvi. Salvage regulations.

(B.)—*General Points.*

i. Flag: right to carry national colours.
ii. Transfer to other flag, for unseaworthiness, in war-time, &c.
iii. Marking name, port, draught, &c.
iv. Tonnage measurement (present systems may differ by 15 to 50 per cent. in steamers).
v. Estates of deceased seamen.
vi. Accommodation of shipwrecked crews.
vii. Deserters from merchant-ships.
viii. Boarders and runners.
ix. Jurisdiction in civil cases (*e.g.*, pilots).
x. Communication at sea: signals.
xi. General police: as in North Sea fisheries.

(C.)—*General Rights.*

i. Right of search (*e.g.*, starboarding).
ii. Right to fish, including whaling, sealing, &c.
iii. Private property at sea in war-time.
iv. Uniformity in buoyage systems.
v. Uniformity in commercial law (*e.g.*, general average, bills of lading, &c.).
vi. Uniformity in compiling statistics.
vii. Rendering all International Rules in some one language on which to base judgments (so avoiding mistranslations, as in the case of the "City of Mecca").

7. Many of these matters have already been discussed, and in many cases partial or more complete International Agreement has been come to, as, for instance, in regard to "rule of the road," lights, signals of distress, and tonnage measurement. The Imperial Government would early decide on the limits of the programme it would agree to discuss.

8. The Conference would also take into consideration the means by which any International Agreement would be ratified, as—

i. Simultaneous and identic legislation.
ii. International Conventions.
iii. A permanent International Commission, acting through its own Bureau.

9. Many valuable indications are contained in the numerous Treaties and Conventions, and the records of Conferences, as, for instance, that held at Antwerp on Commercial Law, 1885; at London on International Law, 1887; at London on Colonial Affairs, 1887; and the Maritime Conferences at Gothenburg, 1883, and Copenhagen, 1888.

10. It may be suggested that a small Committee or Commission of, say, three qualified authorities, might be forthwith appointed to collect and collate, confidentially if desirable, the opinions and requirements of British shipping interests, on the points likely to come before the proposed Maritime Conference.

(Signed) GEORGE BADEN-POWELL.

June 15, 1889.

No. 61.

The Marquis of Salisbury to Sir J. Pauncefote.

Sir, *Foreign Office, June* 22, 1889.

HER Majesty's Government have carefully considered the programme of the discussions of the Maritime Conference which is to be held at Washington during the coming autumn, copies of which programme were inclosed in your despatch of the 13th ultimo.

You will have perceived from the inclosures in my despatch of the 24th January last, to Mr. Herbert, that the consent of Her Majesty's Government to take part in the Conference is as yet conditional on their acceptance of the programme. While they do not see any reason at the present moment to object to the subjects contained in the programme, as in themselves unsuitable for international discussion, the scope of the programme appears to them far too extensive to afford any prospect that the Conference would arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration. They are also of opinion that if each country were to send Delegates specially qualified to discuss the various and intricate technical questions involved, it would be impossible to confine the number of the members of the Conference within convenient limits.

It should, moreover, be borne in mind, that circumstances may arise at any moment during the Conference which might render the discussion of some or other of the subjects unnecessary or highly inconvenient, and that it is therefore desirable that Her Majesty's Government should not be committed to the whole programme, and that the order in which the divisions of it are to be taken should not be wholly at the discretion of the Conference.

For these reasons, the assent of Her Majesty's Government to the programme can be but provisional, and they will not be able to send British Delegates to the Conference except on the distinct understanding (1) that the proceedings will at first be strictly confined to the consideration of the subjects included in General Division I, viz., lights and signals to be used on board ship, and Rules for the prevention of collisions at sea; and (2) that when the deliberations of the Conference on these subjects have come to an end, and before the Conference proceeds to the discussion of other questions, Her Majesty's Government will be allowed the opportunity of reviewing their position with regard to it.

They would then be in a position to send, if necessary, other Delegates, specially chosen for their knowledge of the subject next selected for discussion, to suggest modifications of the programme, or even, under certain conceivable circumstances, to abstain from taking any further part in the deliberations of the Conference.

I have to request you to address a communication to the United States' Government in the sense of this despatch. You should, at the same time, remind the United States' Government that, as stated in my despatch to Sir L. West of the 3rd October last, it was made a condition of the acceptance of Her Majesty's Government of the invitation of the United States' Government, that the British Delegates would not have power to bind Her Majesty's Government. That any proposals which they might make, and any action which the Conference might adopt or recommend, would be, *ad referendum*, only for the consideration and decision of the Government represented.

I am, &c.
(Signed) SALISBURY.

No. 62.

Foreign Office to Board of Trade.

Sir, *Foreign Office, June* 22, 1889.

SIR G. BADEN-POWELL, M.P., has communicated to the Marquis of Salisbury a Memorandum containing suggestions as to the points which should be discussed at the forthcoming Maritime Conference at Washington.

He states that he has communicated a copy of the Memorandum to the Board of Trade, and Lord Salisbury would be glad to be favoured with any observations they may have to make thereon.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 63.

Foreign Office to Sir G. Baden-Powell, M.P.

Sir, *Foreign Office, June* 22, 1889.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 17th instant, inclosing a Memorandum containing suggestions as to the points which should be discussed at the forthcoming Maritime Conference at Washington, together with a copy of your pamphlet on territorial waters.

I am to convey to you his Lordship's thanks for these documents, and to state that your Memorandum shall receive attention.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 64.

Admiralty to Foreign Office.—(Received June 27.)

(Extract.) *Admiralty, June* 26, 1889.

WITH reference to previous correspondence, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Marquis of Salisbury that they have selected Rear-Admiral Sir Robert H. M. Molyneux, K.C.B., and Rear-Admiral Nathaniel Bowden-Smith, to represent the Admiralty as Delegates at the Maritime Conference to be held at Washington in October next to consider the subjects included in General Division 1 of the programme of the Conference.

No. 65.

The Marquis of Salisbury to Count Hatzfeldt.

THE Marquis of Salisbury presents his compliments to Count Hatzfeldt, and, with reference to the inquiry which his Excellency caused to be made respecting the nomination of British Delegates to the proposed Maritime Conference at Washington, has the honour to state that the Lords of the Admiralty have selected Rear-Admiral Sir Robert H. M. Molyneux, K.C.B., and Rear-Admiral Nathaniel Bowden-Smith to represent the Admiralty on this occasion.

Lord Salisbury has not been informed as yet of the nominations made by the Board of Trade.

Foreign Office, July 2, 1889.

No. 66.

Board of Trade to Foreign Office.—(Received July 3.)

Sir, *Board of Trade, July* 2, 1889.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 22nd ultimo, forwarding a Memorandum from Sir George Baden-Powell, M.P., containing suggestions as to the points which should be discussed at the forthcoming Maritime Conference at Washington.

In reply, the Board desire me to state, for the information of the Marquis of Salisbury, that, for the reasons stated in their letter of the 19th ultimo, they do not think it would be advisable to add any subjects to the programme of the Conference.

I am, &c.
(Signed) THOMAS GRAY.

No. 67.

Board of Trade to Foreign Office.—(Received July 10.)

(Extract.) *Board of Trade, July 9, 1889.*

WITH reference to previous correspondence respecting the proposed Maritime Conference at Washington, I am directed by the Board of Trade to state, for the information of the Marquis of Salisbury, that they have decided to nominate Mr. Thomas Gray, C.B. (Assistant Secretary of the Marine Department, Board of Trade); Mr. Charles Hall, Q.C., M.P.; Captain Wyatt (of the Peninsular and Oriental Company's Service); and Captain Edmund Richard Peel (a member of the Liverpool Local Marine Board), to be the Delegates to represent the Board of Trade at the Conference.

No. 68.

Foreign Office to Treasury.

(Extract.) *Foreign Office, July 15, 1889.*

I AM directed by the Marquis of Salisbury to request that you will lay before the Lords Commissioners of Her Majesty's Treasury the correspondence herewith inclosed* respecting an International Marine Conference to be held at Washington in October next. The object and scope of this Conference is fully set forth in Mr. Phelps' note and inclosures of the 14th August last, and also in the detailed programme of subjects to be discussed, which has since been communicated to Her Majesty's Government, and is herewith inclosed.

The recent communications which have passed between this Office, the Board of Trade, and Admiralty (the Departments of Her Majesty's Government primarily interested in the proceedings of this Conference), have resulted in instructions being addressed to Her Majesty's Minister at Washington, copy of which is herewith inclosed.

No. 69.

The Marquis of Salisbury to Count Hatzfeldt.

THE Marquis of Salisbury presents his compliments to Count Hatzfeldt, and, with reference to his note of the 2nd instant, has now the honour to inform his Excellency that it is proposed that the Board of Trade shall be represented at the Marine Conference, to be held at Washington in October next, by Mr. Thomas Gray, C.B., Assistant Secretary, Marine Department, Board of Trade; Mr. Charles Hall, Q.C., M,P.; and two officers of the merchant navy.

It is, however, possible that so full a representation may not be ultimately carried out.

Foreign Office, July 16, 1889.

No. 70.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires, *Foreign Office, July 16, 1889.*

WITH reference to my note of the 15th ultimo, I have now the honour to inform you that it is proposed that the British Board of Admiralty, at the forthcoming Marine Conference at Washington, shall be represented by Rear-Admiral Sir Robert H. M. Molyneux, K.C.B., and Rear-Admiral Nathaniel Bowden-Smith; and the Board of Trade by Mr. Thomas Gray, C B., Assistant Secretary to the Marine Department of that Office; Mr. Charles Hall, Q.C., M.P., who is a leading Counsel in marine cases; and two officers of the merchant service.

It is, however, possible that so full a representation may not be finally sanctioned.

I have, &c.
(Signed) SALISBURY.

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* No. 13, Inclosure in No. 51, Nos. 61, 64, and 67.

No. 71.

*Foreign Office to Admiralty.**

Sir, *Foreign Office, July* 19, 1889.

IN reply to your letter of the 26th ultimo, I am directed by the Marquis of Salisbury to request that you will inform the Lords of the Admiralty that his Lordship has caused a communication to be made to the Lords of the Treasury respecting the expenses of the Delegates to the International Maritime Conference to be held at Washington.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 72.

Board of Trade to Foreign Office.†—(Received July 20.)

(Extract.) *Board of Trade, July* 19, 1889.

WITH reference to previous correspondence on the subject of the proposed Maritime Conference at Washington, I am directed by the Board of Trade to acquaint you, for Lord Salisbury's information, that Captain Peel intimates that he is unable to serve on the Conference, and that the Board have therefore appointed Captain T. G. Kendall, of the City of Dublin Steam Packet Company.

No. 73.

Treasury to Foreign Office.—(Received July 26.)

(Extract.) *Treasury Chambers, July* 25, 1889.

THE Lords Commissioners of Her Majesty's Treasury have had before them your letters of the 15th and 20th‡ instant respecting the representation of the United Kingdom at the proposed International Marine Conference at Washington.

As regards the number of British Delegates—

The Admiralty name two: Rear-Admiral Sir H. M. Molyneux, K.C.B.; Rear-Admiral N. Bowden-Smith.

The Board of Trade name four: Mr. T. Gray, C.B., Assistant Secretary, Marine Department; Mr. Charles Hall, Q.C., M.P.; Captain Wyatt, of the Peninsular and Oriental Company's service; Captain Kendall, of the City of Dublin Steam Packet Company.

My Lords presume that this large number is thought necessary, although the programme of the Conference is to be confined, in the first instance, to the subjects mentioned in Division I, because the United States will have six Representatives. The Foreign Office alone can judge whether it would not be practicable to arrange that no country should have more than three or four Delegates at a time, with a view to reducing the cost.

No. 74.

Board of Trade to Foreign Office.—(Received July 31.)

Sir, *Board of Trade, July* 30, 1889.

WITH reference to previous correspondence concerning the proposed International Maritime Conference at Washington, I am directed by the Board of Trade to state, for the information of the Marquis of Salisbury, that they have selected Admiral Sir G. S. Nares, K.C.B., to act as an additional Representative of this Department at the Conference in question.

I have, &c.
(Signed) HENRY G. CALCRAFT.

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* Also to Board of Trade. † Copy sent to Treasury, July 20.
‡ Sending copy of No. 72.

No. 75.

The Marquis of Salisbury to Mr. Edwardes.

(Telegraphic.) *Foreign Office, August* 1, 1889.

MY despatch of the 22nd June.

Does United States' Government agree to the understanding on which we propose to join the Maritime Conference? As the time for preparation is becoming short, we are anxious to know.

No. 76.

The Marquis of Salisbury to Her Majesty's Representatives at Paris, Berlin, Rome, the Hague, Madrid, and Stockholm.

(Telegraphic.) *Foreign Office, August* 2, 1889, 2·5 P.M.

WASHINGTON Marine Conference.

Inform Government to which you are accredited that Her Majesty's Government, regarding the subjects for discussion technical rather than political, have expressed their readiness to send expert Delegates, on the condition that deliberation will in the first instance be confined to first section of programme, and will then be submitted to Her Majesty's Government for approval. They will thus not be Plenipotentiaries.

To this proposal Government of United States have not yet replied.

Her Majesty's Government do not propose that their Minister shall take part in Conference, unless the Representatives of other Powers should be directed to do so.

Ascertain views of Government to which you are accredited, and reply by telegraph.

No. 77.

Sir H. Rumbold to the Marquis of Salisbury.—(Received August 3, 8 P.M.)

(Telegraphic.) *The Hague, August* 3, 1889, 7·2 P.M.

WASHINGTON Marine Conference: Your Lordship's telegram of yesterday.

Netherland Government have accepted without reservations invitation of United States' Government, and have named as Delegates *ad referendum* their Minister at Washington, assisted by naval officer and Director of Steam-ship Company.

No. 78.

Mr. Beauclerk to the Marquis of Salisbury.—(Received August 3, 7·30 P.M.)

(Telegraphic.) *Berlin, August* 3, 1889, 6·25 P.M.

WASHINGTON Marine Conference.

Views of German Government are identical with those of Her Majesty's Government, with one exception. They will send expert Delegates, probably four in number. They regard subjects for discussion as technical rather than political. Their Delegates will not be Plenipotentiaries, and their Minister will not take part in the Conference. But they cannot make condition as to confining deliberations to first section of programme, as they have accepted entire programme for discussion by their Delegates *ad referendum*.

No. 79.

The Earl of Lytton to the Marquis of Salisbury.—(Received August 5.)

(Extract.) *Paris, August* 3, 1889.

WITH reference to your telegram of yesterday's date, M. Clavery, the Director of the Commercial Department of the French Foreign Office, informs me that the French Government share generally the views held by Her Majesty's Government with regard

to the technical rather than political character of the Maritime Conference it is proposed to hold at Washington.

M. Clavery stated that the French Government had originally intended only to send a naval officer of high rank and a merchant captain to represent France at the Conference; but that, having heard from M. Waddington that it was the intention of the British Admiralty to send two superior naval officers, and that the Board of Trade intended to send two, if not three, representatives (two experts and one lawyer), the French Government would send a competent lawyer to accompany the experts, who would not in any case be Plenipotentiaries.

No. 80.

Sir Clare Ford to the Marquis of Salisbury.—(Received August 5.)

(Telegraphic.) *Madrid, August 5, 1889.*

WASHINGTON Marine Conference.

Spanish Government regard Conference as of a purely technical character, and have named two naval officers as Delegates, who will report result of deliberations. They have made no reserve with regard to programme such as proposed by Her Majesty's Government.

Spanish Minister will not take part in Conference unless Representatives of other Powers be directed to do so.

No. 81.

Mr. Dering to the Marquis of Salisbury.—(Received by telegraph August 5.)

(Extract.) *Rome, August 5, 1889.*

ON the receipt of your Lordship's telegram of the 2nd instant, I addressed a note to Signor Crispi, copy of which I have the honour to inclose, and stated that I would call at the Foreign Office to-day, in hopes of being able to inform your Lordship of the views of the Italian Government as to sending technical Delegates to the Maritime Conference at Washington, with instructions to refer the result of their deliberations to their Government for consideration instead of acting as Plenipotentiaries.

I was to-day informed by Signor Crispi's Confidential Secretary that the wish of the Italian Government was to adopt the course taken by that of Her Majesty, who had far greater interests in it than themselves. They would propose accordingly to send technical Delegates in the manner suggested by your Lordship, with instructions to refer home for consideration the result of their deliberations, and they would not instruct their Minister to take part in the Conference unless other Powers should do so.

Signor Mayor promised me that an official communication to the above effect should be forwarded to me without delay.

Inclosure in No. 81.

Mr. Dering to Signor Crispi.

M. le Ministre, *Rome, August 2, 1889.*

AS your Excellency is aware, a Commercial Maritime Conference is shortly to be held at Washington. I am instructed by the Marquis of Salisbury to inform your Excellency that Her Majesty's Government, regarding the subjects for discussion as technical rather than political, have expressed their readiness to send expert Delegates, on the condition that the deliberations will in the first instance be confined to the first sections of the programme, and will then be submitted to Her Majesty's Government for approval. The Delegates will therefore not be Plenipotentiaries.

To this proposal the Government of the United States have not yet replied.

Her Majesty's Government do not propose that their Minister shall take part in the Conference unless the Representatives of other Powers be also directed to do so, and I shall be glad if your Excellency will enable me to inform Lord Salisbury with as little delay as possible what is the view of the Italian Government on this subject.

I avail, &c.

(Signed) HENRY NEVILL DERING.

No. 82.

Sir F. Plunkett to the Marquis of Salisbury.—(*Received August* 6.)

(Telegraphic.) *Stockholm, August* 5, 1889.

REFERENCE to your Lordship's telegram of 2nd instant.

This Government send three technical Delegates to the Washington Marine Conference, but their Minister at Washington will not take any part, and everything will have to be submitted home here for approval. They have made no reserve with regard to programme, and are willing to discuss the whole.

No. 83.

Sir F. Plunkett to the Marquis of Salisbury.—(*Received August* 8.)

My Lord, *Stockholm, August* 5, 1889.

ON the receipt of your Lordship's telegram of the 2nd instant, I called upon Count Guldenstolpe, who is acting temporarily as Secretary-General of the Foreign Department, and is in charge during the absence, on leave, of Baron Akerhielm and M. de Bildt.

I informed Count Guldenstolpe that Her Majesty's Government regard the subjects proposed for discussion at the Marine Conference about to be held in Washington as having more of a technical than a political character, and have expressed their readiness to send expert Delegates, on the condition that the deliberations will in the first instance be confined to the first section of the programme, and will then be submitted to Her Majesty's Government for approval.

I explained that these expert Delegates would not be Plenipotentiaries, and that Her Majesty's Minister at Washington would not take part in the Conference unless the Representatives of other foreign Powers were instructed to do so.

I then inquired what action the Swedish-Norwegian Government would take in this matter.

Yesterday Count Guldenstolpe informed me that the Swedish-Norwegian Government concurred in the view taken by Her Majesty's Government, that the subjects for discussion were of a technical rather than of a political character. Their Minister at Washington had therefore not been instructed to take part in the Conference, and technical Delegates only had been named. Sweden would send a navy captain only, but Norway would send both a navy captain and a marine insurance agent.

These gentlemen have no authority to agree to anything, but must submit everything to the decision of the home Government.

Sweden and Norway have made no reserve with regard to the programme suggested for the deliberations of the Conference, and are ready to discuss it as proposed.

I have, &c.
(Signed) F. R. PLUNKETT.

No. 84.

*Mr. Edwardes to the Marquis of Salisbury.**—(*Received Received August* 9, 8 A.M.)

(Telegraphic.) *Washington, August* 8, 1889.

MARITIME Conference: your Lordship's telegram of 1st instant.

Assistant Secretary of State informs me that United States' Government cannot agree to understanding. I have not yet received official answer of United States Government.

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* Communicated to Admiralty and Board of Trade.

No. 85.

Mr. Edwardes to the Marquis of Salisbury.—(Received August 13, 7 P.M.)

(Telegraphic.) *Washington, August 13, 1889.*

MARITIME Conference.

I have received official answer of United States' Government. They cannot agree to the conditions laid down in note from Her Majesty's Minister. They will be much gratified if, on review of the considerations presented in their answer, Her Majesty's Government are able to waive their objections and decide to send Delegates. Copies of correspondence goes by next mail.

No. 86.

Foreign Office to Board of Trade.

Sir, *Foreign Office, August 14, 1889.*

I AM directed by the Marquis of Salisbury to transmit to you a copy of a telegram from Her Majesty's Chargé d'Affaires at Washington reporting the terms of the reply of the United States' Government to the note from Her Majesty's Minister, stating the conditions on which Her Majesty's Government would take part in the Marine Conference to be held at Washington next October. A copy of the instruction to Sir Julian Pauncefote of the 22nd June, founded on your letter of the 19th of that month, is contained in the printed correspondence forwarded to the Board of Trade on the 9th instant.

Lord Salisbury will be glad to learn what action the Board of Trade wish to be taken on Mr. Edwardes' telegram of yesterday.

I am, &c.

(Signed) JAMES FERGUSSON.

No. 87.

Mr. Dering to the Marquis of Salisbury.—(Received August 14.)

(Telegraphic.) *Rome, August 14, 1889.*

MY telegram of 5th instant: Washington Marine Conference.

In replying officially to-day, Italian Government, while expressing intention to conform their action to that of Her Majesty's Government, ask for reasons upon which is based the wish to confine deliberations at first to first section of programme, and ask for communication of reply of American Government to that of Her Majesty.

Text of Italian note by to-day's post.

No. 88.

The Marquis of Salisbury to Mr. Edwardes.

(Telegraphic.) *Foreign Office, August 16, 1889, 1·15 P.M.*

YOUR telegram of the 13th: Marine Conference.

Send summary of United States' considerations therein referred to by telegraph.

No. 89.

Mr. Dering to the Marquis of Salisbury.—(Received August 17.)

My Lord, *Rome, August 14, 1889.*

WITH reference to my despatch of the 5th instant, I have the honour to forward herewith translation of a note which I have this day received from the

Italian Government in confirmation of the telegram which I was authorized to forward to your Lordship on that day concerning the Marine Conference at Washington.

Your Lordship will perceive therefrom that while the Italian Government are quite prepared to conform their action in all ways in the matter to that of Her Majesty's Government, they would be glad to be informed, with the view of preparing instructions for their Delegate, of the grounds upon which your Lordship considers it desirable that Delegates should in the first instance confine their deliberations to the first section of the programme.

His Excellency further expresses the wish to be informed of the reply of the United States' Government to that of Her Majesty as soon as it shall have been received.

I have, &c.
(Signed) HENRY NEVILL DERING.

Inclosure in No. 89.

Signor Damiani to Mr. Dering.

(Translation.)
M. le Chargé d'Affaires, *Rome, August* 13, 1889.

IN your note of the 2nd instant you were good enough to inform me that the British Government, regarding the subjects for discussion at the forthcoming Commercial and Maritime Conference at Washington as technical rather than political, have expressed their intention of sending as their Representatives one or more experts, on condition that the deliberations of the Conference shall be submitted to Her Majesty's Government for approval; thus the English Delegates will not be Plenipotentiaries.

Further, the Cabinet of St. James' do not propose that the British Minister in Washington shall take part in the Conference unless in the event of the Representatives of the other Powers receiving instructions to do so.

I hasten to inform you that the Italian Government on this point agree entirely with the view of the Cabinet of London, as Italy also will be represented at the Conference, not by His Majesty's Minister at Washington, or by a Plenipotentiary, but simply by an expert, who has already been appointed.

As regards the programme of the Conference referred to in your above-mentioned note, the Government of His Majesty have not, up to the present time, had occasion to give special instructions to its Delegates; but they will willingly examine whether it would not be better to decide that the deliberations of the Conference shall be limited to one part only of the proposed programme.

Wishing to proceed, on this point also, in accord with Her Majesty's Government, I should be obliged if you would procure me fuller and more precise information concerning the limitations which, according to the Cabinet of St. James', would be proposed in this respect, and the reasons which, in their opinion, would recommend these limitations. I should further be grateful if you would let me know in due time the reply which the Government of the United States makes to the communication addressed to them by the British Government.

(Signed) DAMIANI, *Under-Secretary of State.*

No. 90.

Mr. Edwardes to the Marquis of Salisbury.—(*Received August* 20, 8 A.M.)

(Telegraphic.) *Newport* (*Rhode Island*), *August* 20, 1889.

YOUR telegram of 16th respecting Marine Conference.

Secretary of State's note calls the attention of Her Majesty's Government to following considerations:—

In note of 24th January to United States' Minister in London, Lord Salisbury accepted the invitation of the Government of the United States, subject to two reservations:

1. Her Majesty's Government will not be bound by any vote to which the British Delegate had not assented; and

2. The questions to be submitted to the Conference were to be agreed upon beforehand by the Governments taking part in it.

These reservations were agreed to by the note of the United States' Chargé d'Affaires in London of the 12th March. That note further stated that the Government of the United States understood that a representation of all the Powers *ad referendum* would be satisfactory. The Governments who had accepted the invitation appointed their Delegates on that understanding. The United States' Government entirely agree with the statement contained in Sir L. West's note to the United States' Secretary of State of the 22nd October last, from the words "should Her Majesty's Government be represented," down to "decision of the Government represented."

As this is the distinct understanding as to the effect of the participation of Her Majesty's Government in the Conference, and as it is also understood that the programme of the United States' Delegates is suggestive only, the Government of the United States' think that the first and third objections raised in the note of Her Majesty's Minister might be submitted by Her Majesty's Government through their Delegates for the consideration of the Conference in the preliminary proceedings.

In connection with the *ad referendum* character of the Conference, it is particularly to be noted, with reference to the third objection raised by Her Majesty's Government, that it does not appear that the Delegates of any Government need discuss subjects which in their opinion are unnecessary or inconvenient. It is also observed, with reference to the second objection, that all the subjects suggested in the programme are analogous in their nature, and that those in General Divisions 1 to 4 inclusive, 6 to 8 inclusive, and 10 to 17 inclusive, are matters with which all practical seamen are conversant, with exception of that of construction; the subjects in General Divisions 5 and 9, however, would require special knowledge.

The Government of the United States have appointed seven Delegates, viz., four practical seamen, one expert in life-saving, one Admiralty lawyer, and one President of a Steam-ship Company. Her Majesty's Government are at liberty to appoint as many Delegates as they think proper.

The United States' note concludes as stated in my telegram of the 13th.

No. 91.

Foreign Office to Board of Trade.

Sir, *Foreign Office, August* 21, 1889.

I AM directed by the Marquis of Salisbury to forward the inclosed copy of a telegram from Her Majesty's Chargé d'Affaires at Washington,* for the information of the Board of Trade, and to suggest that a telegram to the following effect should be addressed to Mr. Edwardes:—

He should be informed that, as the date fixed for the meeting of the Maritime Conference is too near to permit a full discussion of the matters raised in the reply of the United States, and in order to avoid the inconvenience to other Powers which might be caused by a postponement of the day of meeting, Her Majesty's Government will refrain from any further observations which may be necessary upon the order of proceeding until the Conference has assembled. Their Delegates will then indicate the reserves which it will be their duty to make in regard to certain subjects which appear in the later portion of the programme.

The assurance of the Government of the United States that they fully concur in the statements contained in the last two paragraphs of Sir L. West's despatch of the 22nd October, 1888, is quite satisfactory.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 92.

Mr. Edwardes to the Marquis of Salisbury.—(*Received August* 23.)

My Lord, *Washington, August* 12, 1889.

ON receipt of your Lordship's despatch of the 22nd June last, Sir Julian Pauncefote addressed a note to the Secretary of State, a copy of which I have the

* No. 90.

honour to inclose, setting forth the understanding on which Her Majesty's Government would consent to take part in the International Marine Conference to be held in Washington during the autumn.

On the 2nd instant I received your Lordship's telegram inquiring whether the United States' Government agreed to that understanding, and I accordingly addressed a letter to Mr. Wharton, Assistant Secretary at the Department of State, begging him to enable me to forward as early as possible the information desired by Her Majesty's Government.

On the 7th instant I had the honour to report to your Lordship, by telegraph, that Mr. Wharton had informed me unofficially that the United States' Government could not agree to the understanding presented by Her Majesty's Minister in his note of the 12th ultimo. Mr. Wharton added that the official reply of the United States' Government to Sir Julian Pauncefote's note should be sent to me later, and it reached me two days ago. I have the honour to inclose herewith a copy thereof.

The reply of the United States' Government commences by citing the reasons set forth in the note of Her Majesty's Minister why Her Majesty's Government are unwilling to accept unconditionally the programme of subjects suggested for discussion at the Conference, and the conditions on which Her Majesty's Government would be willing to send Delegates to the same.

The Secretary of State goes on to say that, after careful consideration of the objections made by Her Majesty's Government which have induced them to give only a provisional assent to the programme of the Conference, the United States' Government, in view of all the circumstances surrounding the inception of the Conference and of the advanced stage of the preparations for its meeting, are constrained to express themselves as unable to consent to the conditions presented in Sir Julian Pauncefote's note above referred to.

Mr. Blaine then proceeds to review the communications on the subject which passed between Her Majesty's Government and the United States' Legation in London in the month of January last, and between Lord Sackville and Mr. Bayard anterior to that date, reiterating, for the consideration of Her Majesty's Government, explanations with regard to the programme of the Conference; and he states, in conclusion, that if, upon a review of the considerations presented in his note, Her Majesty's Government find it possible to waive their objections set forth in the note of Sir Julian Pauncefote to the Secretary of State, and conclude to send Delegates to the Conference, it will be a subject of much gratification to the Government of the United States, who are most desirous to secure the attendance and co-operation in the Conference of the Representatives of Her Majesty's Government, a Government who, above all others, have, in the past, manifested such great interest and effected so much in the direction of the deliberations of the coming Conference.

I have, &c.

(Signed) H. G. EDWARDES.

Inclosure 1 in No. 92.

Sir J. Pauncefote to Mr. Blaine.

Sir, *Washington, July* 12, 1889.

WITH reference to previous correspondence in relation to the International Marine Conference to be held in Washington during the autumn, I have the honour to inform you that I have received instructions from the Marquis of Salisbury to make the following communication to you.

As you are aware, the consent of Her Majesty's Government to take part in the Conference was given conditionally, and on the understanding that their representation thereat should be *ad referendum*, and that the programme of the subjects to be discussed should be previously communicated to them, and should meet with their acceptance. This appears from Lord Sackville's note of the 22nd October last, and from the reply of the State Department dated the 24th of the same month.

Her Majesty's Government have now carefully considered the programme of discussions, and, while they do not consider the subjects contained in it as in themselves unsuitable for international discussion, the scope of the programme appears to them far too extensive to afford any prospect that the Conference would arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration.

They are also of opinion that, if each country were to send Delegates specially

qualified to discuss the various and intricate technical questions involved, it would be impossible to confine the number of the members of the Conference within convenient limits.

Her Majesty's Government also think it possible that circumstances may arise at any moment during the Conference which might render the discussion of some or other of the subjects unnecessary or highly inconvenient; they are therefore unwilling to be committed to the whole programme, and would consider it undesirable that the order in which the divisions of it are to be taken should be wholly at the discretion of the Conference.

For these reasons, Her Majesty's Government can only give their provisional assent to the programme, and, before they can engage to send British Delegates to the Conference, they would be glad if the United States' Government would consent that the proceedings should be at first strictly confined to the consideration of the subjects included in General Division I, viz., lights and signals to be used on board ship, and rules for the prevention of collisions at sea; and that when the deliberations of the Conference on these subjects have come to an end, and before the Conference proceeds to the discussion of other questions, Her Majesty's Government should be allowed an opportunity of reviewing their position with regard to it.

Her Majesty's Government would then be in a position to send, if necessary, other Delegates, specially chosen for their knowledge of the subject next selected for discussion, to suggest modifications of the programme, or even, under certain conceivable circumstances, to abstain from taking any further part in the deliberations of the Conference.

I should be much obliged if you would be good enough to inform me as early as may be convenient whether the conditions upon which Her Majesty's Government are prepared to send Delegates to the Conference are acceptable to your Government.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 2 in No. 92.

Mr. Blaine to Mr. Edwardes.

Sir, *Department of State, Washington, August* 8, 1889.

I HAVE the honour to acknowledge the receipt of the note of Sir J. Pauncefote of the 12th ultimo, relating to the International Marine Conference to be held in this city during the coming autumn. In that note Sir Julian informs the Secretary of State that he is instructed by the Marquis of Salisbury to communicate to the Government of the United States that Her Majesty's Government, while not considering the subjects contained in the programme of subjects to be discussed by the Conference as in themselves unsuitable for international discussion, are unwilling to accept unconditionally the programme suggested, for the following reasons:—

1. That the scope of the programme is too extensive to afford any prospect that the Conference would arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration.

2. That, if each country were to send Delegates specially qualified to discuss the various and intricate technical questions involved, it would be impossible to confine the number of the members of the Conference within convenient limits.

3. That circumstances might arise at any moment during the Conference which might render the discussion of some or other of the subjects unnecessary or highly inconvenient, and therefore it is undesirable that the order in which the several divisions of the programme should be taken up should be wholly at the discretion of the Conference.

In view of the above objections, Her Majesty's Government, before engaging to send British Delegates to the Conference, express themselves desirous that the United States' Government should consent—

1. That the proceedings of the Conference be at first strictly confined to the consideration of subjects included in General Division I.

2. That when the deliberations of the Conference on those subjects have come to an end, and before the Conference proceeds to the discussion of other questions, Her Majesty's Government should be allowed the opportunity of reviewing their position in regard to it.

The Government of the United States have given careful consideration to all the

objections presented by Her Majesty's Government which have induced that Government to give only their provisional assent to the programme of the Conference.

The Government of the United States are exceedingly desirous of removing, if possible, all obstructions in the way of an unconditional acceptance by Her Majesty's Government of the invitation to send Delegates to the Conference, in order that the Conference in its deliberations may have the exceedingly valuable advice and counsel of Her Majesty's Representatives. But the United States' Government, in view of all the circumstances surrounding the inception of the Conference, and considering also the present advanced stage of the preparations for its meeting, are constrained to express themselves as unable to consent to the conditions presented in Sir J. Pauncefote's note above referred to.

It is proper in this connection to draw the attention of Her Majesty's Government with reference to the first and third objections suggested in Sir J. Pauncefote's communication to the following considerations.

The Marquis of Salisbury, in his note to Mr. Phelps of the 24th January, 1889, stated that Her Majesty's Government accepted the invitation of the United States' Government to the proposed Conference, subject to two reservations:—

1. That Her Majesty's Government will not be bound by any vote to which Her Majesty's Representative at the Conference has not assented; and

2. That the particular questions to be submitted to the Conference shall be agreed upon beforehand by the Governments to take part in it.

These reservations were assented to by the Government of the United States in a note from Mr. White, at that time Chargé d'Affaires in London, to the Marquis of Salisbury, dated the 12th March, 1889. In that note Mr. White said that he was authorized by the Government of the United States to state that the understanding of his Government had been that a representation of all the Powers *ad referendum* would be entirely satisfactory. It is with this understanding that the Government of the countries which have already accepted the invitation to take part in the Conference have intimated their readiness to send Delegates, and in many instances have already appointed them.

The Government of the United States agree entirely with the statement made in the note of Lord Sackville to Mr. Bayard dated the 22nd October, 1888, that, "should Her Majesty's Government be represented, it must of course be understood that, as is the constant practice at technical Conferences of this nature, Great Britain will be represented by Delegates who will not have power to bind Her Majesty's Government. Any proposals which the British Delegates make, and likewise any action which the Conference may adopt or recommend, would, in the usual course, be *ad referendum* only for the consideration and decision of the Government represented."

This being the distinct understanding of the effect of a participation by Her Majesty's Government in the deliberations of the Conference, and it being, moreover, as distinctly understood that the programme presented by the Delegates of the United States is suggestive only, so far as the Conference is concerned, and subject to be dealt with by the Conference in such manner as it shall determine, it is suggested by the Government of the United States that the first and third objections presented in Sir J. Pauncefote's note are such as Her Majesty's Government might submit to the Conference, through its Delegates, for the consideration of the Conference in its preliminary proceedings held in the determination of its final programme; and it is particularly to be noted in connection with the *ad referendum* character of the conclusions of the Conference, that, so far as the third objection of Her Majesty's Government is concerned, it does not appear that it will be incumbent upon the Delegates of any Government to take part in the discussion of any subject which is thought by them to be unnecessary or inconvenient to discuss.

It is also to be observed in connection with the second objection in Sir J. Pauncefote's note that all the subjects suggested in the programme of the United States' Delegates are analogous in their nature, and that the subjects in General Divisions from I to IV inclusive, VI to VIII inclusive, and X to XIII inclusive, are all matters with which practical seamen must be held to be thoroughly conversant, excepting the subject of construction, which would require special expert knowledge. The subjects in General Divisions V and IX would also, it is conceived, require special information. The Government of the United States intend to be efficiently and capably represented in the Conference, and to this end have appointed seven Delegates, four of whom are practical seamen, one an expert in life saving, one an Admiralty lawyer, and one the President of a Steam-ship Company. Moreover, the number of Delegates which may be appointed by any Government is unlimited, and

Her Majesty's Government may be represented by as many Delegates as may seem to them convenient.

If, upon a review of the considerations above presented, Her Majesty's Government find it possible to waive their objections set forth in the note of Sir J. Pauncefote to the Secretary of State, and conclude to send Delegates to the Conference, it will be a subject of much gratification to the Government of the United States, who are most desirous to secure the attendance and co-operation in the Conference of the Representatives of Her Majesty's Government, a Government who above all others have in the past manifested such great interest and effected so much in the direction of the deliberations of the coming Conference.

I have, &c.
(Signed) W. F. WHARTON.

No. 93.

Board of Trade to Foreign Office.—(Received August 23.)

Sir, *Board of Trade, London, August 22, 1889.*

I AM directed by the Board of Trade to acknowledge the receipt of your letter of yesterday's date (as corrected by your communication of to-day), and to state that the Board of Trade concur in the terms of the telegram which it is proposed to send to Her Majesty's Chargé d'Affaires at Washington in reply to his communication respecting the International Maritime Conference which is to assemble there in October next.

The Board of Trade desire me, at the same time, to suggest, for the consideration of the Marquis of Salisbury, that the British Delegates should be instructed to state, when the Conference has assembled, that they are only authorized to discuss General Division I of the detailed programme prepared by the United States' Delegates, and that Her Majesty's Government reserve to themselves the right, when the deliberations of the Conference on the subjects included in this Division have come to an end, of reviewing their position with regard to the Conference.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 94.

The Marquis of Salisbury to Mr. Edwardes.

(Telegraphic.) *Foreign Office, August 23, 1889, 4 P.M.*

YOUR telegram of 20th respecting the Maritime Conference.

The date given for the meeting being too near to allow of full discussion of the questions raised in the answer of the United States' Government, and as inconvenience might be caused to other Powers by postponing the date of meeting, Her Majesty's Government will not make any further observations which they may consider to be necessary upon the order of procedure until the Conference shall have assembled. The British Delegates will then state the reservations which it will be their duty to make respecting certain subjects which appear in the latter part of the programme.

Her Majesty's Government consider the assurance given by the United States' Government that they fully concur in the statements contained in the last two paragraphs of Sir L. West's despatch of the 22nd October, 1888, to be quite satisfactory.

Answer United States' Government in this sense.

No. 95.

The Marquis of Salisbury to Mr. Dering.

(Telegraphic.) *Foreign Office, August 24, 1889, 5·30 P.M.*

YOUR telegram of 14th.

British Delegates will attend Maritime Conference at date fixed by United States, and will then make reserves as to later portions of programme. They will act *ad referendum* only.

No. 96.

Foreign Office to Board of Trade.

Sir, *Foreign Office, August* 24, 1889.

WITH reference to the letter from this Office of the 21st instant, I am directed by the Marquis of Salisbury to transmit to you a despatch from Her Majesty's Chargé d'Affaires at Washington,* forwarding the answer of the United States' Government to the statement of the views of Her Majesty's Government with respect to the programme of the Maritime Conference to be held at Washington next October.

I am to request that, in laying these papers before the Board of Trade, you will move their Lordships to favour Lord Salisbury with any further observations or suggestions which they may have to offer on the explanations now afforded by the United States' Government.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 97.

The Marquis of Salisbury to Her Majesty's Representatives at Paris, Berlin, the Hague, Madrid, and Stockholm.

Sir, *Foreign Office, August* 26, 1889.

WITH reference to my telegram of the 2nd instant, I have to request you to inform the Government to which you are accredited that the British Delegates will attend the Maritime Conference at Washington on the date fixed by the Government of the United States, and that they will, at the opening of the deliberations, state the reserves which it will be their duty to make as to the later portions of the programme prepared for discussion by the Conference.

The British Delegates will have authority to act *ad referendum* only.

I am, &c.
(Signed) SALISBURY.

No. 98.

Board of Trade to Foreign Office.—(*Received August* 28.)

Sir, *Board of Trade, London, August* 27, 1889

WITH reference to your letter of the 24th instant, inclosing, by direction of the Secretary of State, a despatch from Her Majesty's Chargé d'Affaires at Washington, forwarding the answer of the United States' Government to the statement of the views of Her Majesty's Government with respect to the programme of the Maritime Conference to be held at Washington in October next, I am directed by the Board of Trade to state, for the information of the Marquis of Salisbury, that they have no further observations or suggestions to add to those contained in their letter of the 22nd instant.

I have, &c.
(Signed) HENRY G. CALCRAFT.

No. 99.

Admiralty to Foreign Office.—(*Received August* 30.)

Sir, *Admiralty, August* 28, 1889.

I AM commanded by my Lords Commissioners of the Admiralty to acquaint you that they have received from the Board of Trade copy of correspondence with the Foreign Office respecting the instructions to be sent to Mr. Edwardes respecting the Maritime Conference at Washington; and I am to request that you will state to the

* No. 92.

Marquis of Salisbury that my Lords concur in the suggestion that the British Delegates should be instructed to state, when the Conference has assembled, that they are only authorized to discuss General Division [? I] of the detailed programme prepared by the United States' Delegates, and that Her Majesty's Government reserve to themselves the right, when the deliberations of the Conference on the subject included in this Division have come to an end, of reviewing their position with regard to the Conference.

I am, &c.
(Signed) R. D. AWDRY.

No. 100.

Mr. C. Hall, M.P., to Foreign Office.—(*Received September* 2.)

MR. CHARLES HALL presents his compliments to Sir Philip Currie, and begs to acknowledge the receipt of his letter of the 27th ultimo, inclosing the draft instructions to the British Delegates to the Maritime Conference. Mr. Hall begs to call Sir Philip Currie's attention to the suggestions he has made in the margin of the draft which he returns herewith. Mr. Hall would point out that this is the first intimation which he, and, so far as he is aware, any of the Delegates, has received that the question of the draught to which vessels should be restricted when loaded (General Division No. III) is to be discussed by the British Delegates, and he would suggest that notice should be given as early as possible, not only to the Delegates, but to all the members of the Committee appointed to inquire into the matters intended to be raised at the Conference, that this question is to be discussed by the Delegates, so that data and information upon this point may be prepared for the next meeting of the Committee, which Mr. Hall has called for the 30th instant.

Mar Lodge, Braemar, Aberdeenshire, N.B.,
August 29, 1889.

No. 101.

Sir F. Plunkett to the Marquis of Salisbury.—(*Received September* 2.)

My Lord, *Stockholm, August* 29, 1889.

I CALLED at the Foreign Department to-day and informed Count Gyldenstolpe, as instructed by your Lordship's despatch of the 26th instant, that the British Delegates, who have authority to act *ad referendum* only, will attend the Maritime Conference at Washington on the date fixed by the United States' Government, and that they will, at the opening of the deliberations, state the reserves which Her Britannic Majesty's Government make respecting the later portions of the programme prepared for the discussion of the Conference.

Count Gyldenstolpe expressed his thanks for this communication, and said he would at once inform Baron Akerhielm of it.

Count Gyldenstolpe repeated what I have already reported in my despatch of the 5th instant, viz., that the Swedish-Norwegian Delegates would act only *ad referendum*, but were authorized to discuss the whole programme as proposed.

No. 102.

Mr. Beauclerk to the Marquis of Salisbury.—(*Received September* 2.)

My Lord, *Berlin, August* 30, 1889.

I HAVE the honour to inclose herewith to your Lordship translation of a note which I have received from the German Government respecting the attendance of their Delegates at the forthcoming Marine Conference at Washington.

I have, &c.
(Signed) W. BEAUCLERK.

Inclosure in No. 102.

Count Berchem to Mr. Beauclerk.

(Translation.) *Foreign Office, Berlin, August* 29, 1889.

THE Undersigned has the honour of acknowledging the receipt of Mr. Beauclerk's note of the 28th instant on the subject of the International Marine Conference in Washington

They (the German Government) apprehend that the proceedings of the Conference can at first only have the character of a consultation, the results of which will not be further binding on the Governments taking part.

The German Delegates will likewise at present accept the decisions *ad referendum.*

(Signed) BERCHEM.

No. 103.

Sir Clare Ford to the Marquis of Salisbury.—(Received September 3.)

My Lord, *Madrid, August* 30, 1889.

WITH reference to your Lordship's despatch of the 26th instant,* relative to the Washington Marine Conference, I have the honour to inform your Lordship that I have duly carried out your Lordship's instructions as contained in the above-mentioned despatch.

I have, &c.

(Signed) FRANCIS CLARE FORD.

No. 104.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September* 3, 1889.

I AM directed by the Marquis of Salisbury to transmit to you, for the information of the Board of Trade, copies of despatches from Her Majesty's Representatives at the places noted in the margin,† relative to the Maritime Conference at Washington.

I am, &c.

(Signed) JAMES FERGUSSON.

No. 105.

Count Leyden to the Marquis of Salisbury.—(Received September 4.)

(Translation.)

My Lord, *German Embassy, London, September* 2, 1889.

I HAVE the honour to thank your Lordship for your communications of the 2nd and 16th July last, on the subject of the representation of Her Majesty's Government at the Maritime Conference at Washington.

I beg leave to inform your Lordship that the following gentlemen have been selected to take part in the Conference as Delegates of the Imperial Government.

1. Dr. Sieveking, President of the Oberlandesgericht at Hamburgh;
2. Captain Mensing, of the Imperial Navy;
3. M. Feigel, Imperial Consul-General at New York; and
4. Captain Donner (retired), of the Imperial Navy, Geheimer Regierungs Rath.

I avail, &c.

(Signed) LEYDEN.

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* No. 97.

† Nos. 101, 102, and 103.

No. 106.

Admiralty to Foreign Office.—(Received September 6.)

Sir, *Admiralty, September 5, 1889.*

I AM commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State, that passages have been provided for Rear-Admirals Bowden-Smith and Sir Robert Molyneux, K.C.B., in the White Star steamer "Teutonic," leaving Liverpool for New York 2nd October, to enable those officers to attend the International Maritime Conference at Washington on the 16th of that month.

I am, &c.
(Signed) R. D. AWDRY.

No. 107.

The Marquis of Salisbury to Mr. Edwardes.

Sir, *Foreign Office, September 7, 1889.*

WITH reference to previous correspondence respecting the Maritime Conference about to be held at Washington, I inclose, for your information, translation of a note from the German Chargé d'Affaires in London,* communicating to me the names of the German Delegates.

I am, &c.
(Signed) SALISBURY.

No. 108.

The Marquis of Salisbury to Count Leyden.

M. le Chargé d'Affaires, *Foreign Office, September 7, 1889.*

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant, communicating to me the names of the German Delegates to the Maritime Conference at Washington.

I have, &c.
(Signed) SALISBURY.

No. 109.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September 7, 1889.*

WITH reference to previous correspondence respecting the Maritime Conference at Washington, I am directed by the Marquis of Salisbury to transmit to you, for the information of the Board of Trade, a translation of a note from the German Chargé d'Affaires in London,* communicating to me the names of the German Delegates to the Conference.

I am, &c.
(Signed) T. V. LISTER.

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* No. 105.

No. 110.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September* 13, 1889.

WITH reference to your letter of the 22nd ultimo respecting the Maritime Conference at Washington, I am directed by the Marquis of Salisbury to transmit to you, to be laid before the Board of Trade, the accompanying drafts of despatches which it is proposed to address to the British Delegates appointed to attend the Conference on behalf of Her Majesty's Government.

The draft of instructions has been prepared in the usual form, as this Office is not aware that Mr. Hall is to receive instructions separate from those addressed to the other British Delegates, although separate letters of appointment will be given. Mr. Hall has suggested that the Delegates and all the members of the Committee appointed to inquire into the matters intended to be raised at the Conference should receive notice and information respecting the question of the load line in readiness for discussion at their meeting on the 30th instant.

Lord Salisbury would be glad to learn, at the Board's earliest convenience, whether these drafts meet with their concurrence, and, if not, in what manner the Board would wish them to be altered.

I am, &c.
(Signed) JAMES FERGUSSON.

No. 111.

Sir Clare Ford to the Marquis of Salisbury.—(*Received September* 20.)

My Lord, *Madrid, September* 17, 1889.

WITH reference to your Lordship's despatch of the 30th ultimo, and to previous correspondence on the subject of the Washington Marine Conference, I have the honour to transmit herewith translation of a note from the State Department, dated the 9th instant, but which only reached me last evening.

Your Lordship will observe that the views which have been expressed by Her Majesty's Government relative to the Conference are agreed to by that of Spain.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 111.

The Marquis de la Vega de Armijo to Sir Clare Ford.

(Translation.)

Excellency, *Ministry of State, September* 9, 1889.

I HAVE the honour to inform your Excellency that I have communicated to my colleague, the Minister of Marine, and also to His Majesty's Legation at Washington, your note of the 30th August last containing the views of Her Britannic Majesty's Government with regard to the questions to be discussed at the Washington Marine Conference, and also the instructions which will be given to the Delegates taking part in the Conference.

I have the honour to inform your Excellency of the concurrence of the Spanish Government with the above views, and I avail, &c.
(Signed) MARQUIS DE LA VEGA DE ARMIJO.

No. 112.

The Earl of Lytton to the Marquis of Salisbury.—(*Received September* 22.)

My Lord, *Paris, September* 21, 1889.

IT is announced in this evening's papers that Captain Richard, Naval Attaché in London, Captain Lannélue, of the Merchant Service, and M. G. D. Weil, an Assistant

Judge of the Tribunal de la Seine, and a well-known writer on legal matters, have been appointed to represent the French Government at the Maritime Conference to be held in Washington.

I have, &c.
(Signed) LYTTON.

No. 113.

Board of Trade to Foreign Office.—(Received September 23.)

Sir, *Board of Trade, London, September* 21, 1889.

IN reply to your letter of the 13th instant, I am directed by the Board of Trade to state, for the information of the Marquis of Salisbury, that they concur in the terms of the drafts of despatches, herein returned, which it is proposed to address to the British Delegates appointed to attend the Conference at Washington on behalf of Her Majesty's Government.

I have, &c.
(Signed) GEORGE J. SWANSTON.

No. 114.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September* 26, 1889.

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Board of Trade, the accompanying copy of a despatch, as marked in the margin,* respecting the representation of France at the forthcoming Maritime Conference at Washington.

I am, &c.
(Signed) T. V. LISTER.

No. 115.

The Marquis of Salisbury to Mr. C. Hall, M.P.

Sir, *Foreign Office, September* 27, 1889.

HER Majesty's Government having accepted an invitation from the Government of the United States to take part in an International Conference on various matters connected with shipping and navigation, I have to inform you that you are appointed, together with six other gentlemen, to be Delegates of Her Majesty's Government on this occasion.

You will be the First Delegate, and your colleagues will be Admiral Sir R. Molyneux, K.C.B., Admiral Bowden-Smith, Admiral Sir G. Nares, K.C.B., Mr. Thomas Gray, C.B., Captain H. Wyatt, and Captain Kendall.

I inclose, for your information, the correspondence which has passed with reference to this Conference.

The instructions for the guidance of yourself and your colleagues will be contained in a subsequent despatch.†

Mr. C. A. Spring-Rice, of this Office, has been selected to act as Secretary to the British Delegates at this Conference, and will receive in this capacity a Commission as Acting Second Secretary to Her Majesty's Legation at Washington.

I am, &c.
(Signed) SALISBURY.

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* No. 112. † No. 117.

No. 116.

*The Marquis of Salisbury to Admiral Sir R. Molyneux.**

Sir, *Foreign Office, September* 27, 1889.

HER Majesty's Government having accepted an invitation from the Government of the United States to take part in an International Conference on various matters connected with shipping and navigation, I have to inform you that you are appointed to be a Delegate on the part of Her Majesty's Government on this occasion.

Your colleagues will be Mr. Charles Hall, Q.C., M.P., who is appointed to be First British Delegate, Admiral Bowden-Smith, Admiral Sir G. Nares, K.C.B., Mr. Thomas Gray, C.B., Captain H. Wyatt, and Captain Kendall.

I inclose, for your information, the correspondence which has passed with reference to this Conference.

The instructions for the guidance of the British Delegates will be contained in a subsequent despatch.

Mr. C. A. Spring-Rice, of this Office, has been selected to act as Secretary to the British Delegates at this Conference, and will receive in this capacity a Commission as Acting Second Secretary to Her Majesty's Legation at Washington.

I am, &c.

(Signed) SALISBURY.

No. 117.

The Marquis of Salisbury to the British Delegates at the Marine Conference.

Gentlemen, *Foreign Office, September* 27, 1889.

THE programme of subjects which the Maritime Conference will be invited to discuss has already been communicated to you in the correspondence inclosed in my previous despatch of this day's date. While Her Majesty's Government do not see any reason at the present moment to object to the subjects contained in the programme, as in themselves unsuitable for international discussion, the scope of the programme appears to them far too extensive to afford any prospect that the Conference can arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration.

It should also be borne in mind that circumstances may arise at any moment during the Conference which may render the discussion of some or other of the subjects unnecessary or highly inconvenient. Her Majesty's Government wish it to be clearly understood that for the present the British Delegates have authority to discuss those matters only which are set down in General Division No. I of the programme, together with the question of the draught to which vessels should be restricted when loaded, which question forms General Division No. III.

Her Majesty's Government also wish it to be clearly understood that, in accordance with the constant practice of Conferences of this nature, the British Delegates will not have power to bind Her Majesty's Government; any proposal which the British Delegates may make, and any action which the Conference may adopt or recommend, will be *ad referendum* only for the consideration and decision of Her Majesty's Government.

I have to instruct you to insert upon the Protocol of the first sitting a statement to this effect.

In technical Conferences considerable latitude is permitted to discussion and to statements made in them; you will bear this in mind, but you will be careful either not to sign any document or recommendation without express authority to do so, or to intimate distinctly that in signing any instrument with your colleagues, the Delegates of the foreign Powers represented, it is not to be assumed that Her Majesty's Government accept any text or document which has not been submitted to them and approved.

You will report home the proceedings of the Conference, and ask for further instructions on such points as you and your colleagues may think necessary.

You will announce your arrival at Washington to Her Majesty's Representative,

* Similar letters, *mutatis mutandis*, to Admiral Bowden-Smith, Admiral Sir G. Nares, Mr. Gray, Captain Wyatt, and Captain Kendall.

who has been requested to take the necessary steps with the view to place you in communication with the proper authorities, and to give you all the assistance and advice which you may require.

I am, &c.
(Signed) SALISBURY.

No. 118.

The Marquis of Salisbury to Mr. Edwardes.

Sir, *Foreign Office, September* 27, 1889.

YOU will have learnt from my telegram of the 23rd ultimo that Her Majesty's Government have finally decided to send Delegates to the Marine Conference at Washington, and I now inclose, for your information, a copy of the instructions which I have addressed to the gentlemen appointed to take part in the Conference on behalf of Her Majesty's Government.*

The British Delegates will be:—

Mr. Charles Hall, Q.C., M.P.; two Representatives selected by the Admiralty, namely, Admiral Sir R. Molyneux, K.C.B., and Admiral Bowden-Smith; and four Representatives selected by the Board of Trade, namely, Admiral Sir George Nares, K.C.B.; Mr. Thomas Gray, Assistant Secretary of the Marine Department of the Board of Trade; Captain H. Wyatt, of the Peninsular and Oriental Service; and Captain Kendall, of the City of Dublin Steam Packet Company, who has a large experience of navigation in narrow and crowded waters. These gentlemen will be accompanied by Mr. C. A. Spring-Rice, of this Office, who will be temporarily attached to the Legation at Washington, and will act as Secretary to them.

I have to request you to announce the above appointments to the Government of the United States.

The British Delegates will announce their arrival to you; and I have to request that you will place them in communication with the proper authorities, and that you will afford them all the assistance and advice they may require.

I am, &c.
(Signed) SALISBURY.

No. 119.

Board of Trade to Foreign Office.—(Received October 7.)

Sir, *Board of Trade, London, October* 5, 1889.

WITH reference to previous correspondence on the subject of the forthcoming Maritime Conference at Washington, I am directed by the Board of Trade to transmit to you, to be laid before the Marquis of Salisbury, the accompanying copy of a letter and inclosure which has been received from the Members of the Committee appointed by the President of the Board of Trade to consider the questions relating to the present International Regulations for preventing collisions at sea.

I have, &c.
(Signed) HENRY G. CALCRAFT.

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* No. 117.

Inclosure in No. 119.

Committee on Collisions at Sea to Board of Trade.

Sir, 7, *Whitehall Gardens, London, September* 30, 1889.

WE have to state that, in compliance with the request of Sir M. Hicks-Beach, we have carefully considered the present International Regulations for preventing collisions at sea, with the object of deciding what principles should guide the Delegates who will represent Her Majesty's Government at the Washington Maritime Conference.

We do not think it necessary to alter the Regulations in principle, but we inclose a Paper showing in detail what modifications we think might be made the subject of consideration.

We think the British Delegates should be guided by these suggestions, but they will, of course, at the same time, be prepared to give careful consideration to any proposals that may be brought forward at the Conference. We have the honour to request that you will communicate this letter, together with a copy of the proposed amended Regulations, to the Secretary of the Admiralty.

We desire, in conclusion, to express our strong appreciation of the valuable assistance rendered to the Committee by the Secretary, Mr. W. J. Howell. It is mainly owing to his expedition and energy that we have been enabled to bring our sittings to a close within so limited a time, and we trust that you will be able to mark our sense of his services by a suitable acknowledgment.

We have, &c.

(Signed) CHARLES HALL, *Chairman.*
N. BOWDEN-SMITH.
THOMAS GRAY.
R. H. MORE MOLYNEUX.
D. MURRAY.
G. S. NARES.
WILLIAM WATSON.
CHAS. G. WELLER.
W. J. L. WHARTON.
HENRY WYATT.

No. 120.

Sir F. Denys to the Marquis of Salisbury.—(Received October 12.)

My Lord, *Guadalajara, Mexico, September* 17, 1889.

I HAVE the honour to inform your Lordship that Señor Don Matias Romero, the Mexican Minister in Washington, and Señor Don Angel O. Monasterio, have been appointed Delegates to represent the Mexican Government at the International Maritime Conference which is to assemble in that capital on the 16th October next, with the object of promoting measures for the protection of life and property at sea.

I have, &c.

(Signed) FRANCIS DENYS.

No. 121.

Sir J. Pauncefote to the Marquis of Salisbury.—(Received October 17.)

(Telegraphic.) *Washington, October* 16, 1889.

ARRIVED Washington last night. This morning I presented British Delegates to the Maritime Conference to Secretary of State and President.

No. 122.

The Marquis of Salisbury to British Delegates to Marine Conference.

Gentlemen, *Foreign Office, October* 17, 1889.

I TRANSMIT herewith, for your information and guidance, copy of a letter and its inclosure, as marked in the margin,* respecting modifications in the International Regulations for preventing collisions at sea.

I am, &c.
(Signed) SALISBURY.

No. 123.

The Marquis of Salisbury to Sir J. Pauncefote.

Sir, *Foreign Office, October* 18, 1889.

I TRANSMIT herewith, for your information, the accompanying copy of a despatch, as marked in the margin,† giving the names of the Mexican Delegates to the Maritime Conference at Washington.

I am, &c.
(Signed) SALISBURY.

No. 124.

British Delegates to Marine Conference to the Marquis of Salisbury.—(Received October 28.)

My Lord, *Washington, October* 16, 1889.

WE have the honour to inform your Lordship that the International Marine Conference held its first meeting to-day.

The Delegates of the various Powers represented were received by the Secretary of State of the United States, who addressed to them a few words of welcome and good-will.

Mr. Hall then proposed that Admiral Franklin, the first American Delegate, should be chosen President.

The motion was carried unanimously.

The Conference then adjourned.

We have, &c.
(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
N. BOWDEN-SMITH.
THOMAS GRAY.
G. S. NARES.
HENRY WYATT.
T. G. KENDALL.

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* No. 119 † No. 120.

No. 125.

British Delegates to Marine Conference to the Marquis of Salisbury.—(*Received October* 28.)

My Lord, *Washington, October* 16, 1889.

AT an informal meeting which we held this afternoon with certain members of the American and other Delegations, it was proposed by Admiral Franklin, President of the Conference, and seconded by Mr. Goodridge, Delegate of the United States, that before proceeding to discuss any one Division the Conference should be asked to vote *seriatim* as to whether it should deal with each of the Divisions included in the general programme drawn up by the United States' Representatives.

Mr. Hall pointed out that this course was undesirable, as the discussion of General Division No. I would probably be of so lengthy and complicated a nature as to make it possible, and even probable, that by the time it was completed the Delegates might consider that it was unnecessary to proceed to the discussion of any other matter included in the programme.

After considerable discussion this view was acceded to by Admiral Franklin and Mr. Goodridge, and they agreed to propose the inclosed Resolutions at the next meeting of the Conference.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
N. BOWDEN-SMITH.
THOMAS GRAY.
G. S. NARES.
HENRY WYATT.
T. G. KENDALL.

Inclosure in No. 125.

Resolutions.

1. THAT the Conference proceed to the discussion of General Division I of the proposed detailed programme as framed by the American Delegates, and continue the consideration of the same until its completion.

2. That the Articles of the Revised Regulations for preventing collisions at sea, and known as the International Rules, be considered Article by Article in numerical order.

No. 126.

British Delegates to Marine Conference to the Marquis of Salisbury.—(*Received October* 28.)

My Lord, *Washington, October* 17, 1889.

WE have the honour to inform your Lordship that the second meeting of the Marine Conference took place to-day.

Four Secretaries were elected: Mr. Cottman, Secretary to the United States' Delegation; M. Blaers, Secretary to that of Germany; M. Ribière, one of the Delegates of France; and Mr. Spring-Rice.

We then, through Mr. Hall, made a statement, as instructed by your Lordship, to the effect that we have authority to discuss those matters only which are set down in General Divisions Nos. I and III of the programme, and that any proposal we may make, and any action the Conference may adopt or recommend, will be *ad referendum* only.

A copy of the statement is inclosed herewith.

In accordance with the understanding arrived at at the informal meeting held yesterday, referred to in our immediately preceding despatch, Mr. Goodrich, an American Delegate, made the proposals agreed upon, which were carried unanimously.

Pursuant to the terms of the Resolutions above mentioned, the Conference then proceeded to the discussion of General Division No. I. They agreed that the discus-

sion should be based on the International Rules of the Road, and began to consider *seriatim* the Articles in the English text.

Various amendments were proposed, which were ordered to be printed for subsequent consideration.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
N. BOWDEN-SMITH.
THOMAS GRAY.
G. S. NARES.
T. G. KENDALL.

Inclosure in No. 126.

Statement by British Delegates.

Mr. President,

BEFORE proceeding to the discussion of the various matters to be dealt with in this Conference, I think it is desirable that I should state briefly the instructions which Her Majesty's Government have given to my colleagues and myself.

I need not say that Her Majesty's Government are most anxious that the deliberations of this Conference should have a permanent result in arriving at conclusions upon these very important matters, in which the interests of all maritime nations are altogether in common, and in the consideration of which their views will probably be harmonious.

Her Majesty's Government recognize that in the institution of this Conference by the United States their object and aim has been to promote the universal interests and welfare of the whole of seafaring humanity.

Under these circumstances Her Majesty's Government have thought it desirable to limit their instructions to my colleagues and myself to the matters set down in General Divisions Nos. I and III. In doing this they wish it to be clearly understood that, whilst they do not see any reason at the present moment to object to the subjects contained in the programme as in themselves unsuitable for international discussion, the scope of the programme appears to them too extensive to afford any prospect that the Conference can arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration.

I may also point out that circumstances may arise during the Conference which may render the discussion of some or other of the subjects unnecessary. And it is for these reasons, and from their anxious desire that a practical result may flow from the proceedings of this Conference, that Her Majesty's Government have thought it desirable to limit their instructions as I have mentioned.

I may add, on behalf of my colleagues and myself, that we shall use our best endeavours to render to the Conference all the assistance that lies in our power, and we beg to offer our hearty congratulations to our foreign colleagues upon our having been able to secure the valuable co-operation of yourself as their President.

In accordance with the understanding arrived at between the United States' Government and that of Her Majesty's Government, the British Delegates will not have power to bind Her Majesty's Government. Any proposal which the British Delegates will make, and any action which the Conference may adopt or recommend, will be *ad referendum* only for the consideration and decision of Her Majesty's Government.

No. 127.

British Delegates to Marine Conference to the Marquis of Salisbury.—(Received October 28.)

My Lord, *Washington, October* 18, 1889.

WE have the honour to inform your Lordship that the third meeting of the Conference took place to-day.

The President announced that the Protocols were not yet prepared.

It was proposed and passed that "a Committee of three should be appointed to prepare material for printing the English version of the International Rules of the Road, with memoranda of the modifications introduced by the law of the United States and of other countries."

The Conference then proceeded with the discussion of the Rules, various amendments in which were proposed and ordered to be printed.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
N. BOWDEN-SMITH.
THOMAS GRAY.
G. S. NARES.
HENRY WYATT.
T. G. KENDALL.

No. 128.

British Delegates to Marine Conference to the Marquis of Salisbury.—(Received November 4.)

My Lord, *Washington, October* 21, 1889.

WE have the honour to transmit to your Lordship herewith three copies of the first Protocol of the Marine Conference.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
N. BOWDEN-SMITH.
T. G. KENDALL.
HENRY WYATT.
G. S. NARES.

Inclosure in No. 128.

Protocol of Meeting, Wednesday, October 16, 1889.

Washington, October 16, 1889.

IN response to the invitation extended by the President of the United States to all the Maritime Governments to be represented at an International Marine Conference to secure greater safety for life and property at sea, Delegates from the following countries, Austria-Hungary, Belgium, China, Chile, Denmark, France, Germany, Great Britain, Guatemala, Honduras, Italy, Japan, Mexico, Norway, Russia, Spain, Sweden, Siam, the Netherlands, the United States of America, and Venezuela, assembled at 11 o'clock in the forenoon of the 16th October, 1889, in the Diplomatic Reception Room of the State Department.

After the presentation of the Delegates to the Secretary of State, the latter welcomed them in the following words:—

"Gentlemen,

"It is the cause of extreme gratification to the Government of the United States that its invitation to the Maritime Powers of the world has been met with so general a response. Representatives from Asia, from Europe, from North and South America, and from the isles of the sea, will compose the Conference. On behalf of the United States I welcome you all, gentlemen, to the honourable, the scientific, the philanthropic duties which lie before you. The already and the rapidly increasing intercourse between continent and continent, between nation and nation, demands that every protection against the dangers of the sea and every guard for the safety of human life shall be provided.

"The spoken languages of the world will continue to be many; but necessity commands that the unspoken language of the sea shall be one. That language must be as universal as the needs of man for commerce and intercourse with his fellow-man. The deep interest which the maritime nations have taken in the questions at issue is

shown by the eminent character and the wide experience of the Delegates to whom they have committed the important work. Again, gentlemen, I welcome you, and after your preliminary organization is completed, it will be my pleasure to present you in person to the President of the United States."

The Delegates having then assembled for permanent organization, Mr. Charles Hall, Q.C., M.P., one of the Delegates from Great Britain, being granted the floor, nominated Rear-Admiral S. R. Franklin, one of the Delegates from the United States of America, as permanent President of the Conference; this motion being seconded by several Delegates and voted upon in the affirmative unanimously, Rear-Admiral S. R. Franklin was declared unanimously elected to the chair, in accepting which honour he addressed the Conference in the following words:—

"Before proceeding to the further organization of the Conference, I desire to express to the Delegates my high appreciation of the distinguished honour they have conferred upon me in selecting me to preside over their deliberations.

"The little experience which my profession affords in the Parliamentary duties I am now called upon to perform encourages me to hope for the indulgence of the Conference in any errors of judgment I may commit.

"I feel that it is needless for me to say that in any rulings or decisions which I may be called upon to make I shall endeavour to be governed by a spirit of entire fairness, and I trust that my efforts will meet the approval of the Conference.

"Thanking you, gentlemen, for the honour you have done me, I now declare the Conference ready for its further organization."

Mr. William W. Goodrich, a Delegate from the United States of America, then moved that the Conference adjourn until 11 o'clock in the forenoon of Thursday, the 17th October, 1889, to meet at the Wallach House. This motion being voted upon and carried unanimously, the meeting was declared adjourned.

The Delegates were afterwards formally presented to the President of the United States; the latter, standing in the centre of the semicircle, spoke a few informal words of welcome, expressing his gratification that the Conference had assembled under such pleasant auspices. He expressed his deep personal interest in the result which might be anticipated and, he trusted, attained by the Conference, and hoped that the passage of the seas might be made as safe as it has been made rapid.

The President, in conclusion, said that the object for which the Conference had assembled was one which would attract universal interest, and its attainment would be warmly welcomed by all nations.

No. 129.

Sir J. Pauncefote to the Marquis of Salisbury.—(*Received November* 1.)

(Telegraphic.) *Washington, November* 1, 1889.

FOR the Admiralty, from the Delegates to Marine Conference:—

"What are the latest Regulations with regard to rays from side lights crossing bows of vessels?"

No. 130.

Admiralty to Foreign Office.—(*Received November* 2.)

THE Secretary of the Admiralty presents his compliments to the Under-Secretary of State for Foreign Affairs, and begs to inclose the latest Regulations as to the "rays from side lights," for communication to the Delegates to the Marine Conference at Washington, in reply to the telegram of the 1st November, forwarded in the Under-Secretary's note of yesterday.

Admiralty, November 2, 1889.

No. 131.

The Marquis of Salisbury to British Delegates to Marine Conference.

Gentlemen, *Foreign Office, November* 2, 1889.

I INCLOSE, for your information, a copy received from the Admiralty of the latest Regulations on "rays from side lights," asked for in your telegram of the 1st instant.*

I am, &c.
(Signed) SALISBURY.

No. 132.

Foreign Office to Board of Trade.†

Sir, *Foreign Office, November* 4, 1889.

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Board of Trade, the accompanying copies of despatches, as marked in the margin,‡ respecting the proceedings of the International Maritime Conference at Washington.

I am, &c.
(Signed) T. V. LISTER.

No. 133.

Foreign Office to Board of Trade.†

Sir, *Foreign Office, November* 8, 1889.

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Board of Trade, the accompanying further printed correspondence, as marked in the margin,§ respecting the Maritime Conference now sitting at Washington.

I am, &c.
(Signed) T. V. LISTER.

No. 134.

The Marquis of Salisbury to Sir J. Pauncefote.

(Telegraphic.) *Foreign Office, November* 8, 1889, 7·20 P.M.

THE Maritime Conference has made so much progress with the matters referred to it that Her Majesty's Government are of opinion that the British Delegates should remain to discuss the remaining subjects. It is possible that further technical assistance may be necessary for this purpose.

Telegraph the Delegates' wishes in this respect.

Mr. Wimshurst, of the Board of Trade, and Mr. Scott, might attend in regard to the construction of vessels and to meteorology respectively.

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* No. 130. † Also to Admiralty. ‡ Nos. 124, 125, 126, and 127. § No. 128.

No. 135.

Sir J. Pauncefote to the Marquis of Salisbury.—(*Received November* 10.)

(Telegraphic.) *Washington, November* 9, 1890.

THE British Delegates to the Maritime Conference request me to say, in reply to your Lordship's telegram of 8th, that they will be happy to remain and discuss the rest of the programme. They will be glad if Mr. H. E. Brown and Mr. Scott could be sent out immediately, as Committees were appointed yesterday and a British member will have to be added to each. Messrs. Gray and Kendal will probably return when Ist and IIIrd Divisions are completed. Matters are proceeding most satisfactorily.

No. 136.

The Marquis of Salisbury to Sir J. Pauncefote.

(Telegraphic.) *Foreign Office, November* 15, 1889.

IN reply to your telegram of the 9th respecting the Maritime Conference, the Board of Trade request that the British Delegates be informed that they do not think it necessary to nominate Mr. Scott a separate Delegate to discuss meteorological matters. If, however, it should be considered absolutely necessary, they will be ready, on receiving a representation to that effect, to reconsider the question.

Mr. James Wimshurst, the Principal Shipwright Surveyor for Iron Vessels, will go out to-morrow by the "Servia," to assist in the discussion of General Division II in place of Mr. Brown.

Despatch follows by post.

No. 137.

The British Delegates to International Marine Conference to the Marquis of Salisbury.—(*Received November* 22.)

My Lord, *Washington, November* 9, 1889.

WE have the honour to inform your Lordship that Sir Julian Pauncefote has communicated to us your telegram of yesterday's date, stating that Her Majesty's Government consider that their Representatives should remain to discuss the rest of the programme, and instructing him to telegraph our views and wishes.

We informed him, in reply, that we should be happy to remain and discuss the rest of the programme as originally proposed by the United States' Government; and in regard to the offer of Her Majesty's Government to supply any technical assistance that might be required, we requested that Mr. Scott and Mr. H. E. Browne might be immediately dispatched to Washington in order that they might serve on Committees.

We urged at the same time that there might be no delay in dispatching these gentlemen, as four Committees were appointed yesterday to consider the subjects contained in General Divisions II, IV, VI, VII, VIII, IX, X, XI, XII, and XIII.

We added that the discussion of the Rules of the Road was progressing in a satisfactory manner.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
THOMAS GRAY.
G. S. NARES.
H. WYATT.

No. 138.

The British Delegates to International Marine Conference to the Marquis of Salisbury.—
(Received November 22.)

My Lord, *Washington, November 11, 1889.*

IN compliance with the instructions contained in your Lordship's telegram to Sir J. Pauncefote of the 8th instant, we have the honour to inform your Lordship that, on the meeting of the Conference to-day, we made, through Mr. Hall, the statement, copy of which is inclosed herewith, to the effect that Her Majesty's Government has instructed us to discuss the rest of the programme, and that, acting upon these instructions, we have telegraphed home for all papers and technical assistance necessary.

On the proposal of the United States' Delegates, it was decided that two additional members should be appointed on each of the Committees dealing with General Divisions II, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII.

We have, &c.

(Signed) CHARLES HALL.
R. H. MORE MOLYNEUX.
THOMAS GRAY.
G. S. NARES.
H. WYATT.

Inclosure in No. 138.

Statement made by Mr. Hall in Conference.

Mr. President,

BEFORE proceeding to discuss the business of to-day, I should like to be permitted to make a statement with regard to the programme which is now before the Conference in its entirety. The Delegates will remember that at the opening of our proceedings I stated that Her Majesty's Government had instructed us to confine ourselves to the discussion of Divisions I and II, as the scope of the programme appeared to them too extensive to afford the prospect that the Conference could arrive at valuable conclusions on all the subjects proposed within any Session of reasonable duration.

I also pointed out that these instructions were prompted by an anxious desire on the part of Her Majesty's Government that there should be a practical outcome of the proceedings of the Conference.

Since that time, however, the Conference, owing in a great measure to the assistance it has received from the various Committees which have dealt with matters included in Division I, has made more rapid progress than we had anticipated; and we are able now to form some approximate forecast of the time necessary for the completion of that Division and of Division III.

Under these circumstances, I have much pleasure in stating that Her Majesty's Government have instructed us to discuss the rest of the programme, and that, acting upon those instructions, we have at once telegraphed home for all papers and technical assistance necessary. We hope to have the assistance of experts in meteorology and construction of vessels, so as to be able personally to lay before the Conference the information and knowledge in our possession; and I have the authority of my colleagues to say that they will be most happy if they can contribute anything which will be of use and assistance to the Conference in the consideration of these questions, which are of so much importance to the whole of the maritime world.

No. 139.

The British Delegates to International Marine Conference to the Marquis of Salisbury.—
(Received January 13, 1890.)

My Lord, *Washington, December 31, 1889.*

WE have the honour to inform your Lordship that the Conference terminated its labours to-day.

We beg to inclose herewith the following documents:—

1. The Protocols of the Conference containing a *verbatim* report of the proceedings.
2. A Summary of the above which we have prepared for convenience of reference.
3. The Report of a Committee appointed to prepare the material for printing the International Rules of the Road, so as to show the divergence between the Rules as enacted in the Laws of the different Powers.
4. The Report of the Committee on Lights, and further Report of the same.
5. The Report of the Committee on Sound Signals.
6. The second Report of the above Committee as to the adoption of certain new fog-signals.
7. The Report of the Committee on Systems and Devices.
8. The Report of the Committee appointed to consider the lights to be carried or shown on small vessels, pilot-vessels, and fishing-vessels.

These Reports were all considered in relation to the discussion of the International Rules of the Road.

9. The final Report of the Committee on the Collocation of the Rules containing (*a*) the Regulations for preventing collisions at sea as finally agreed on by the Conference, and (*b*) Resolutions approved of by the Conference, and recommended to the attention of the Powers represented thereat.
10. The Report of the Committee on Life Saving Systems and Devices, appointed to consider the subjects mentioned in General Division V of the Programme.
11. The Report of the Committee on the subject of a uniform load mark, General Division III.
12. The Reports of the Committee on the subjects contained in General Division 2 (Regulations to determine the seaworthiness of vessels), General Division IV (regarding the designation and marking of vessels), and General Division VI (necessary qualifications for officers and seamen, including tests for sight and colour-blindness).
13. The Report of the Committee appointed to consider General Division VII (lanes for steamers on frequented routes), and General Division VIII (night signals for communicating information at sea).
14. The Report of the Committee appointed to consider General Division IX (warnings of approaching storms), Division X (reporting, marking, and removing dangerous wrecks or obstructions to navigation), General Division XI (notice of dangers to navigation), and General Division XII (a uniform system of buoys and beacons).
15. The Report of the Committee on General Division XIII, on the establishment of a Permanent Maritime Commission.

The above Reports (Inclosures 10 to 15 inclusive) have been considered by the Conference and adopted.

We wish, in conclusion, to bring to your Lordship's notice the valuable services which have been rendered to us by Mr. C. A. Spring-Rice, who was attached to the Delegation as Secretary. He has been most active and zealous throughout the protracted sittings of the Conference, and we have much pleasure in acknowledging the great assistance we have received from him upon all points.

We have, &c.
(Signed) CHARLES HALL.
N. BOWDEN-SMITH.
HENRY WYATT.
G. S. NARES.
JAMES WIMSHURST.

Inclosure 1 in No. 139.

Protocols of the International Marine Conference, held at Washington, October to December 1889.

[Printed separately.]

Inclosure 2 in No. 139.

Summary of Proceedings.

October 17, 1889.

IT was resolved that the Articles of the Revised Regulations for Preventing Collisions at Sea, and known as the International Rules, be considered Article by Article in numerical order.

The Rules were accordingly read, and various amendments were proposed which were printed for consideration.

The Rules are appended.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Article 1. In the following Rules every steam-ship which is under sail and not under steam is to be considered a sailing-ship; and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam.

Rules concerning Lights.

Art. 2. The lights mentioned in the following Articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others, shall be carried in all weathers, from sunset to sunrise.

Art. 3. A sea-going steam-ship when under way shall carry—

(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

(*b.*) On the starboard side, a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*c.*) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*d.*) The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

Art. 4. A steam-ship, when towing another ship, shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light which other steam-ships are required to carry.

Art. 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and, if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 3 feet apart, in front of but not lower than her foremast head, three black balls or shapes, each 2 feet in diameter.

(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph cable, shall at night carry in the same position as the white light which steam-ships are required to carry, and, if a steam-ship, in place of that light, three lights in globular lanterns each not less than 10 inches in diameter, in a vertical line over one another, not less than 6 feet apart; the highest and lowest of these lights shall be red, and

the middle light shall be white, and they shall be of such a character that the red lights shall be visible at the same distance as the white light. By day she shall carry in a vertical line one over the other not less than 6 feet apart, in front of but not lower than her foremast head, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The ships referred to in this Article, when not making any way through the water, shall not carry the side lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other ships as signals that the ship showing them is not under command, and cannot therefore get out of the way. The signals to be made by ships in distress and requiring assistance are contained in Article 27.

Art. 6. A sailing-ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry.

Art. 7. Whenever, as in the case of small vessels during bad weather, the green and red side lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 8. A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon, at a distance of at least 1 mile.

Art. 9. A pilot-vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot-vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

Art. 10. Open boats and fishing-vessels of less than 20 tons net registered tonnage, when under way and when not having their nets, trawls, dredges, or lines in the water, shall not be obliged to carry the coloured side lights; but every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The following portion of this Article applies only to fishing-vessels and boats when in the sea off the coast of Europe lying north of Cape Finisterre:—

(*a.*) All fishing-vessels and fishing-boats of 20 tons net registered tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

(*b.*) All vessels when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet; and so that the horizontal distance between them measured in a line with the keel of the vessel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character, and contained in lanterns of such construction, as to show all round the horizon, on a dark night with a clear atmosphere, for a distance of not less than 3 miles.

(*c.*) A vessel employed in line-fishing with her lines out shall carry the same lights as a vessel when engaged in fishing with drift-nets.

(*d.*) If a vessel when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

(*e.*) Fishing-vessels and open boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling, dredging, or fishing with any kind of drag-net shall

be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her trawl, dredge, or drag-net, they shall be exhibited from the bow.

(*f.*) Every fishing-vessel and every open boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*g.*) In fog, mist, or falling snow, a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with their lines out, shall at intervals of not more than two minutes make a blast with her fog-horn and ring her bell alternately.

Art. 11. A ship which is being overtaken by another shall show from her stern to uch last-mentioned ship a white light or a flare-up light.

Sound Signals for Fog, &c.

Art. 12. A steam-ship shall be provided with a steam-whistle or other efficient steam-sound signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn to be sounded by a bellows or other mechanical means, and also with an efficient bell.* A sailing-ship shall be provided with a similar fog-horn and bell.

In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows; that is to say:—

(*a.*) A steam-ship under way shall make with her steam-whistle, or other steam-sound signal, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*c.*) A steam-ship and a sailing-ship, when not under way, shall at intervals of not more than two minutes ring the bell.

Speed of Ships to be moderate in Fog, &c.

Art. 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed.

Steering and Sailing Rules.

Art. 14. When two sailing-ships are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz.:—

(*a.*) A ship which is running free shall keep out of the way of a ship which is close-hauled.

(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

(*c.*) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

(*e.*) A ship which has the wind aft shall keep out of the way of the other ship.

Art. 15. If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where ships are meeting end on, or nearly end on, in in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which, by day, each ship sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each ship is in such a position as to see both the side lights of the other.

It does not apply, by day, to cases in which a ship sees another ahead, crossing her own course; or by night, to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

* In all cases where the Regulations require a bell to be used a drum will be substituted on board Turkish vessels.

Art. 16. If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

Art. 17. If two ships, one of which is a sailing-ship, and the other a steam-ship, are proceeding in such directions as to involve risk of collision, the steam-ship shall keep out of the way of the sailing-ship.

Art. 18. Every steam-ship when approaching another ship so as to involve risk of collision shall slacken her speed, or stop and reverse, if necessary.

Art. 19. In taking any course authorized or required by these Regulations, a steam-ship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, viz. :—

One short blast to mean "I am directing my course to starboard."

Two short blasts to mean "I am directing my course to port."

Three short blasts to mean "I am going full speed astern."

The use of these signals is optional, but if they are used the course of the ship must be in accordance with the signal made.

Art. 20. Notwithstanding anything contained in any preceding Article, every ship, whether a sailing-ship or a steam-ship, overtaking any other, shall keep out of the way of the overtaken ship.

Art. 21. In narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship.

Art. 22. Where by the above Rules one of two ships is to keep out of the way, the other shall keep her course.

Art. 23. In obeying and construing these Rules, due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

No Ship, under any circumstances, to neglect proper Precautions.

Art. 24. Nothing in these Rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 25. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation.

Special Lights for Squadrons and Convoys.

Art. 26. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy.

Art. 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately; that is to say—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by N C;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the ship (as from a burning tar barrel, oil barrel, &c.);
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals.

October 21 *and* 22.

Further amendments were proposed and printed for consideration.

October 28.

Article 1.—*Mr. Goodrich* (United States) proposed to substitute the word "vessel" for "ship"; the word "vessel" being a generic term.

Mr. Hall (Great Britain) proposed that a steam-vessel being towed should be treated as a sailing-vessel.

The first amendment was adopted, the second postponed.

Mr. Hall (Great Britain) proposed to add to Article 1 the words, "Steam-vessels shall include all vessels propelled by machinery," so as to include modern vessels propelled by a motive power other than steam.

A discussion arose on the wording, and it was decided to put the amendment in principle, leaving the actual wording to a later stage. In this form it was carried.

Article 2.—*Captain Mensing* (Germany) proposed that Article 2 be amended by the addition of the words, "and no others which might be mistaken for such lights," in order to avoid the danger of misleading lights, while recognizing the faat that other lights may be carried on board ship.

This amendment was accepted by the British Delegates, who preferred it to a somewhat similar amendment proposed by Captain Salvesen (Norway) as involving less change in the wording, and carried unanimously.

Mr. Hall (Great Britain) proposed an addition to the Rule to the effect that in cases where the breadth of the ship is over 40 feet the light need not be carried at a greater height above the water than 40 feet.

Some discussion arose owing to a Delegate of the United States stating that the Rule would change the system existing in the harbour and waters of New York. It was, however, pointed out that he was under a misapprehension, and the amendment was carried as proposed.

Article 3.—*Mr. Goodrich* (United States) proposed that the first line be amended as follows, "Every steam-vessel when under way," omitting the word "sea-going" in order that the Rules might be made to apply to all waters alike, the several nations to make their own exceptions as to their own waters.

Mr. Hall (Great Britain) said that, so far as he was aware, the word had no reference to jurisdiction, but that its object was to classify vessels in a general way, sea-going vessels being presumably large enough to carry the lights provided for vessels which navigated the sea.

A clause would have to be inserted excluding vessels too small to carry such lights.

It was pointed out that the word was omitted in the Rules of Austria, Denmark, Germany, Italy, Mexico, Norway, and Sweden.

Dr. Sieveking (Germany) said that the word was omitted in the German Rules because there were no local Rules on the German rivers.

The motion was carried.

November 1.

Extra amendments were proposed.

November 4.

Article 3.—*Captain Mensing* (Germany) proposed: "That a certain candle power be substituted as the standard for the visibility of lights mentioned in these Rules in lieu of the standard now in force."

After discussion, the following amendment was proposed: "That a certain candle power be adopted as a standard for the visibility of light mentioned in these Rules, the candle power to be hereafter determined."

It was agreed that this should be recorded in the shape of a note to the Rules, and it was accepted upon these terms by the *Delegates of Great Britain*, and carried by the Conference.

Mr. Verney (Siam) proposed that the word "uniform" before "unbroken light" be struck out, on the ground that the light could not be made uniform.

The amendment was accepted by *Mr. Hall* (Great Britain), and carried.

Article 4.—Amendment proposed by *Mr. Hall* (Great Britain), that the distance between the lights be 6 feet instead of 3 feet.

The United States' Delegates proposed that the distance be 4 feet.

The former amendment was carried.

Captain Shackford (United States) proposed an amendment to the effect that a vessel towing shall carry a small bright light abaft the funnel for the vessel being towed to steer by.

Mr. Hall suggested that the Rule should be made permissive.

It was put in the following form :—

"A small bright light abaft the funnel or after mast may be carried for the vessel being towed to steer by, such light to be only visible from right astern to four points on each quarter."

It was opposed by *Captain Richard* (France), and put to the vote.

The Delegates of France, Norway, Sweden, and *the Netherlands* voted against it; and it was carried by 15 to 4.

November 5.

Mr. Shackford proposed a change in his amendment as to lights on vessels towing, viz., "not to be visible before the beam," instead of "to be visible from right astern to four points abaft the beam."

Mr. Hall (Great Britain) supported the change on the ground of simplicity; and it was carried.

Captain Malmberg (Sweden) proposed that a sailing-vessel towing another vessel should carry the same lights as a vessel not under command.

After some discussion, during which *Mr. Hall* (Great Britain) stated that he had no objection to giving such a ship a distinctive light, provided such a light could be found, the amendment was carried in a modified form as follows :—

"A sailing-vessel towing a disabled vessel shall carry some distinctive light, provided such light can be determined upon by the Conference."

Mr. Hall (Great Britain) proposed an amendment to Article 5 to add the words, "These signals are not signals of ships in distress and requiring assistance. Such signals are contained in Article 27;" a change of verbiage in order to make the Article plainer.

The amendment was carried.

Article 5.—*M. van Steyn* (Netherlands) proposed an amendment :—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry in the same position as the white lights which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns not less than 6 feet apart, and of such a character as to be visible on a dark night, in a clear atmosphere, at a distance of at least 2 miles, and shall by day," &c.

Mr. Hall (Great Britain) stated that he intended to propose two lights and two balls instead of three, but that it would not affect the principle of the amendment.

The amendment was carried.

M. van Steyn (Netherlands) proposed an amendment :—

"(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns in a vertical line over one another, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. By day she shall carry, in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

Captain Mensing (Germany) proposed an amendment to strike out the words "in globular lanterns," and add, after the words, "at a distance of at least 2 miles," the following: "but if she be a steam-ship, then at a distance of not less than 5 miles.

Captain Mensing's amendment was lost.

Mr. Hall (Great Britain) pointed out the difficulty of getting a coloured light to show more than 2 miles, and *Captain Malmberg* (Sweden) stated that ordinary ships were used in Sweden to lay telegraph cables, which could not carry very powerful lights.

The original amendment was carried.

Captain van Steyn (Netherlands) proposed to add, as a recommendation to the Conference, that a special signal should be found for steamers in the daytime which were proceeding under sail only, but which were manageable.

Mr. Hall (Great Britain) said that he had no objection in principle to the proposal, the object of which was to show at once that a vessel which was apparently a steamer was not one, but a sailing-vessel.

The principle was adopted, and referred to the Collocation Committee.

Mr. Hall (Great Britain) proposed:—

"Art. 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, two red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry, in a vertical line, one over the other, not less than 6 feet apart, in front of but not lower than her foremast-head, two black balls or shapes, each 2 feet in diameter;" on the ground that two red lights were sufficient.

The amendment was carried.

Dr. Sieveking (Germany) proposed that a vessel aground in a fairway should carry the lights for vessels not under command.

Mr. Hall (Great Britain) stated that it had been argued in the English Courts that vessels aground in a fairway should carry such lights, and not those for a vessel at anchor.

Mr. Goodrich (United States) and *Captain Richard* (France) opposed the amendment, which was negatived by 15 to 5, Great Britain, Germany, Denmark, Russia, Sweden, and Siam voting for it.

[*Note.*—This was subsequently carried. See November 11, *infra.*]

November 7.

Article 6.—*Mr. Hall* (Great Britain) proposed an amendment:—

"Art. 6. A sailing-ship under way or being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry;" which was carried.

M. Richard (France) proposed an amendment to the effect that sailing-vessels should carry the same lights as steam-vessels, with a white mast-head light in addition.

He explained, however, that out of deference to his colleagues on the Committee of Lights, who had decided against his proposal, he would now withdraw it.

Mr. Hall (Great Britain) proposed:—

"Art. 8. A ship under 100 feet in length, whether a steam-ship or a sailing-ship, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light visible all round the horizon, at a distance of at least 1 mile.

"All ships of 100 feet or upwards in length, when at anchor, shall carry two such lights as follows, that is to say:—

"In the forward part of the ship, and at a height of not less than 20 and not exceeding 40 feet above the hull, one such light; and at or near the stern of the ship, and at such a height that it shall be not less than 15 feet lower than the forward light, the other of such lights.

"The length of a ship shall be deemed to be the length appearing in her certificate of registry."

Mr. Hall explained that in his amendment he had inserted the word "forward" after "carry" in the second line, in adoption of an amendment of the German Delegates.

Dr. Sieveking (Germany) proposed to put the limit at 150 feet instead of 100 feet, which he thought was too low.

Mr. Hall accepted the alteration.

Captain Shackford (United States) proposed as an amendment that a distinctive second riding light, consisting of a red and a white light 30 inches apart, should be carried at the stern. This Resolution was put to the Conference and lost; and the original amendment as proposed by Mr. Hall was carried, with the change of 100 to 150 feet.

Article 11.—An amendment to Article 11 was moved by the Delegates from the Netherlands to the effect that every vessel exceeding 20 tons registered should carry on her stern an irregularly occulting white light.

Mr. Hall (Great Britain) moved that before this amendment was put to the vote the proposal made by the British Delegates should be considered, viz.:—

"Art. 11. A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"The white light required to be shown by this Article may be fixed, and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it

shall throw an uniform and unbroken light over an arc of 12 points, that is to say, for 6 points from right aft on each side of the ship.

"Such lights shall be carried as nearly as practicable on the same level as the side lights."

Mr. Goodrich (United States) proposed that the words "or occulting" should be added after the word "fixed."

Mr. Hall pointed out that the Conference was thus asked to sanction the use of a light as to which they had no data and no precise information, and upon which no public experiments had been made.

Mr. Goodrich's amendment was put and lost; and the British proposal was adopted with two alterations, viz.: (1) the words "uniform and" were struck out in conformity with a previous vote of the Conference. (See *supra*, November 4.)

2. The words, "and so as to be visible on a dark night, in a clear atmosphere, at a distance of 1 mile," were added after the word "ship." Both alterations were accepted by the British Delegates; the limit of 1 mile being adopted with a view to induce small vessels to adopt the light.

The British Delegates then moved an Additional Article, as follows:—

"*Lights and Signals to Attract Attention.*

"Art. .—Every ship may at any time, in addition to the lights which she is by these Regulations required to carry, show a flare-up light or use a detonating signal to attract attention."

Some discussion arose upon this. It was pointed out that confusion with distress signals might be entailed; and *Mr. Hall*, acknowledging that the criticisms were worthy of consideration, asked that the Conference should vote on the principle, leaving it to subsequent discussion as to what kind of signals should be used.

At the suggestion of *M. Flood* (Norway), the words "when necessary" were substituted for "at any time."

The question upon the principle was carried.

[*Note.*—The signals suggested above were adopted, see December 5, *infra*.]

November 8.

Article 12.—*Mr. Hall* (Great Britain) proposed:—

"In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say:—

"(*a*.) A steam-ship under way shall make with her steam whistle, or other steam sound-signal, at intervals of not more than two minutes, a long blast of about four seconds duration.

"(*b*.) A steam-ship not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two * long blasts with an interval of about one second between them.

"(*c*.) A sailing-ship under way shall make with her fog-horn, at intervals of not more than ~~two minutes,~~† when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

"(*d*.) A steam-ship and a sailing-ship, when at anchor, ~~or moored,~~‡ shall, at intervals of not more than ~~two minutes,~~† ring the bell.§"

On the amendment to section (*a*) a discussion arose.

Captain Shackford (United States) said that the experience of seamen was in favour of a blast of at least six seconds duration, an assertion which was controverted by *Captain Mensing* (Germany).

Captain Wyatt (Great Britain) stated that he had several times had his hearing seriously affected by the continuous sound of the whistle.

The amendment to section (*a*) was carried.

Mr. Hall (Great Britain) then moved his amendment to section (*b*), inserting the word "such" between "two" and "blasts." It was carried.

In subsection (*c*) *Mr. Goodrich* (United States) moved an amendment changing the words "two minutes" to "one minute," which was carried.

In subsection (*d*) the words "or moored" were omitted by general consent, as, by a ruling of the Conference on the 7th November, there was no doubt about the meaning of the words "at anchor."

* "Such" inserted here. † One minute. ‡ Omitted.
§ Added; "rapidly for about five seconds."

On the proposal of *Mr. Goodrich* (United States), to which the British Delegates assented, the latter part of the paragraph was amended to read, "shall at intervals of not more than one minute ring the bell rapidly for about five seconds."

Captain Mensing (Germany) proposed that the words, "to be sounded by a bellows or other mechanical means," in the first paragraph, should be omitted. This was opposed by *Mr. Hall* (Great Britain), and the amendment was lost.

Captain Malmberg (Sweden) moved that a vessel towing should sound a distinctive signal.

At *Mr. Hall's* suggestion, the amendment was carried in principle, and referred to the Committee on Sound Signals, who should also report whether or no it was desirable to have a distinctive signal for a sailing-ship towing.

A discussion arose as to the meaning of the words "at anchor," which *Mr. Goodrich* (United States) desired should be defined by the Collocation Committee, but his proposal was lost.

M. Verbrugghe (Belgium) raised the question as to a standard for fog-signals.

At the instance of *Mr. Hall* (Great Britain), it was moved that it was desirable that there should be a common standard as to the minimum distance at which such signals should be heard in ordinary weather, in order to call the attention of the Powers to the subject, and invite experiments.

The motion was carried.

November 11.

Article 6.—*Mr. Hall* (Great Britain) proposed an amendment to Article 1, to the effect that steamers being towed were to be considered sailing-vessels, but he withdrew it in favour of an amendment to Article 6 moved by *Mr. Goodrich* (United States), which was passed.

Article 6, as amended, is as follows:—

"A sailing-ship under way and any vessel being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light mentioned in Article 3 (*a*), which she shall never carry."

Article 5.—A discussion then took place on a motion from *Mr. Goodrich* (United States) in favour of a system of auxiliary side lights, which was unanimously rejected, the *United States' Delegates* voting against his proposal; and on the proposal of *Captain Shackford* (United States) for a white range light to be carried by steamers on the after mast, visible all round the horizon.

It was supported by *Mr. Hall* (Great Britain), in a permissive form, as an experiment which it was advisable to make, and which he understood had been successfully made in the inland waters of the United States; and was carried in the following form:—

"Art. 3 (*e*). All steamers when under way at night may carry on one of the after masts a white light visible all around the horizon; said light must be at a height of not less than 20 feet above the forward bright light."

Article 12.—*Captain van Steyn* (Netherlands) proposed an amendment to Article 12:—

"A steam-ship shall be provided with a whistle or siren sounded by steam, or other efficient substitute for steam," &c.; to provide for the cases of vessels propelled by electricity.

This amendment was carried.

Mr. Hall (Great Britain) suggested that provision should be made for the use of the gong in Chinese waters, which suggestion was adopted.

Article 8 (*b*).—*Captan Salvesen* (Norway) proposed an amendment as to the lights to be carried by vessels aground in a fairway, which was supported by *Mr. Hall* on the ground that a ship in such a position ought to have a distinctive light.

It was carried in the following form:—

"Art. 8. (*b*). A vessel aground in or near a fairway shall carry, where they can best be seen, two red lights in globular lanterns, one over the other, not less than 6 feet apart, in addition to the above-mentioned anchor light or lights."

Captain Shackford (United States) proposed that Atlantic steamers should use distinctive sound signals to indicate their courses east or west—which proposal he withdrew after some discussion.

Admiral Kaznakoff (Russia) offered some amendments on behalf of the Committee on Lights.

November 12.

Article 13.—The whole question of moderate speed in fog was discussed under an amendment to strike out Article 13.

Dr. Sieveking (Germany) urged that a definition should be given to the term "moderate" for the guidance of Judges and sailors; and proposed the wording, "so far moderate her speed as is consistent with her own safety, and under the circumstances of the case necessary to prevent risk of collision."

Mr. Hall (Great Britain) opposed any change in the Rule on the ground of the impossibility of embracing all possible cases; and that any attempt at precising it might afford an excuse for evading it.

Mr. Goodrich (United States) said that the strength of the law was in its flexibility, and deprecated modification.

The proposal to omit Article 13 was put and lost.

Mr. Goodrich (United States) moved an addition to Article 13, which was supported by *Mr. Hall* (Great Britain) with certain modifications, on the ground that it met the wishes of several of the Delegates as expressed in amendments, and complied with the recommendations of the Sound Signal Committee, besides making law that which practical seamen act upon.

The addition was passed in the following form:—

"A steam-vessel hearing, apparently before her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then proceed with caution until all danger of collision is over."

November 14.

Article 3.—*M. Flood* (Norway) proposed an amendment to the following effect:—

"Art. 3 (*e*). The side lights to be placed in steam-vessels not forward of the mast-head light, and in sailing-vessels as near abreast the foremast as practicable."

He urged this on the ground that it was advisable to define the place where the lights should be placed.

Mr. Hall (Great Britain) opposed the amendment, pointing out that it was practically impossible to assign to the side lights any fixed position with regard to the foremast lights, which would necessitate the alteration, and possibly even reconstruction, of many vessels.

Captain Mensing (Germany) supported the amendment. He said it was in conformity with the Report of the Committee on Lights, and it proposed no hard-and-fast rule, leaving the position of the side lights undefined so long as they were abaft the mast-head light.

The amendment was carried.

The Yeas and Nays were called for, and were as follows:—

Yeas.—Brazil, China, Chile, Denmark, Germany, Norway, Portugal, Russia, Spain, Sweden, the Netherlands, Uruguay.

Nays.—United States, Austria, Belgium, France, Great Britain, Hawaii, Italy, Japan, Mexico.

Note.—See Protocol of the 9th December. The vote was reconsidered and reversed.

Articles 12 and 13.—*M. Flood* (Norway) proposed that the words "heavy rain-storms" should be added, on the ground that there was as much difficulty in seeing during such storms as in falling snow.

The amendment was accepted by *Mr. Hall* (Great Britain), and carried.

The Conference then proceeded to the discussion of the principle of speed.

Dr. Sieveking (Germany) proposed that the wording of the Rule should be, "shall so far moderate her speed as under the circumstances of the case is necessary to prevent a collision."

This, he said, was a necessary definition, as the words of the Article as they stood at present would only imply that the speed must be reduced whether the circumstances required it or not.

Mr. Hall (Great Britain) said that the true meaning of the Rule was perfectly well known to every sailor, and that it was not necessary to modify it.

Mr. Carter (Hawaii) suggested that the addition of the words, "having careful regard to the conditions and circumstances," might reconcile the difference between the two views.

This was accepted by the Delegates from Germany and Great Britain and carried.

A long discussion took place upon an amendment proposed by the Delegates for Germany to the Rule:—

"And when it is safe and practicable and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

The amendment was put and negatived.

The Conference decided against an amendment to fix the maximum speed to be allowed to ships in fog.

Article 13 was then disposed of.

Steering and Sailing Rules.—*Mr. Hall* (Great Britain) suggested an instruction to sailors in the following words:—

"Risk of collision may, when time permits, be ascertained by carefully watching the compass bearings of an approaching vessel. If the bearings do not appreciably change such risk should be deemed to exist."

This was carried.

November 15.

Article 18.—*Mr. Hall* (Great Britain) proposed that Article 18 be amended so that the holding-on vessel shall keep her course and speed.

The object of the amendment was, he explained, to enable the vessel which has to give way to know what the other ship is going to do, so as to be able to go under her stern if necessary.

Dr. Sieveking (Germany) said that the advantage of the amendment was clear. On the other hand, it increased the difficulties of the position of the holding-on vessel; especially in case the other vessel should be obliged to cross her bow. He wanted to know the opinion of mariners.

Mr. Goodrich (United States) advocated the change as putting an end to the uncertainty which existed in the law at present.

Admiral Molyneux (Great Britain) said that the amendment would remove doubt as to what the action of a ship would be; the holding-on ship is obliged to keep her speed, and the master knows the other ship is not to cross his bow.

Captain Mensing (Germany) said that if it was not an accepted rule that the holding-on ship should keep her speed, the amendment was a necessary one. But he failed to see that there was any necessity for altering the Rule; and argued that there were cases in which the amendment would only lead to embarrassment.

Captain Saldanha de Gama (Brazil), *Commodore Monasterio* (Mexico), *Lieutenant Beaugency* (Chile), and *Captain Richard* (France) spoke in favour of the amendment.

The amendment was put to the Conference and carried.

Mr. Hall (Great Britain) then moved the first part of his amendment to Article 18, which was consequential on the amendment just passed.

The Conference agreed to it in the following form:—

"Every steam-ship which is directed by these Regulations to keep out of the way of another ship shall, on approaching her, if necessary, slacken her speed, or stop or reverse."

Mr. Hall (Great Britain) moved a new Rule, which was carried without discussion, and was as follows:—

"A ship which is required by these Rules to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other."

The Conference then considered the proposed Article 22 as drawn up in the London Committee.

Mr. Hall (Great Britain) asked leave to withdraw his proposal, and substitute for it an amendment in the present Article 23, in order to provide for special circumstances where the action of both ships is necessary to avert collision.

Mr. Hall (Great Britain) then moved the new Article 23 of the London Committee, to prevent single ships interfering with squadrons. Consideration was postponed.

November 18.

Article 5.—*Mr. Hall* (Great Britain) moved that the definition of "steam-ship" should be referred to the Collocation Committee, and the question as to the warning signal to be given by any vessel to a vessel approaching, to the Committee on Sound Signals.

Mr. Hall (Great Britain) moved Article 23 of the Rules drawn up by the London Committee as to single ships keeping out of the way of squadrons.

In order to avoid making any provision which it would be difficult for sailing-vessels to comply with (as for instance when hove-to or in a calm), the proposal was amended as follows:—

"In clear weather no vessel shall cross the bows of the leaders of any squadron of ships of war in regular formation, nor pass through the lines of such squadrons; but nothing in this Article shall excuse the ship of war from doing her best to avoid collision."

Consideration was postponed, and the Conference proceeded to the discussion of an amendment to Article 5, already agreed on in principle, which at Mr. Hall's suggestion was modified and carried in the following form:—

"A steam-vessel proceeding under sail and not using her engines shall carry in daytime, in any place of the foretop where it can best be seen, a ball or shape 2 feet in diameter."

Mr. Hall (Great Britain) explained that the object was to provide in daytime against her being mistaken for a ship under steam, owing to the steam escaping from her funnel.

Captain Malmberg (Sweden) proposed a distinctive light for a disabled vessel being towed by a sailing-vessel, but on the difficulty of finding such a light being pointed out to him, he withdrew his amendment.

Article 19.—*Mr. Goodrich* (United States) proposed an amendment to Article 19 (signals for steamers in sight of one another), making them mandatory.

Mr. Hall (Great Britain) spoke in support, on the ground that there was practically a unanimous consensus of opinion among sailors on this point.

Dr. Sieveking (Germany) pointed out the danger likely to arise from mistaking the signals. Moreover, the course to be taken is rigidly laid down by the Rules; the holding-on vessel keeps her course and speed, and it is of no importance to her to know what the other vessel is doing. The advantage of knowing is a moral one merely, and not to be compared to the disadvantage arising from misunderstanding the signals. He also pointed out the legal difficulty caused by the imposition of a new duty on the vessel which is to keep out of the way.

Mr. Goodrich (United States) said it had worked very well in the inland waters of the United States.

Mr. Hall (Great Britain) said the signals were already in constant use at sea. It is a great advantage to the holding-on vessel to know the other vessel sees her. The burden of blowing the whistle is not a very great one.

The amendment was carried.

M. van Steyn (Netherlands) proposed (as already settled in Article 12) to omit the word "steam" in "steam whistle."

The amendment was carried.

Mr. Hall (Great Britain) proposed a definition of the term "short blasts" as a blast of about one second's duration, in order that it should not be confounded with the long blasts prescribed in the Rules.

The amendment was carried.

Article 20.—*Mr. Hall* (Great Britain) proposed the amendment agreed on in the London Committee in order to obviate any doubt as to what "overtaking ship" means.

The amendment was carried.

Article 21.—*M. Flood* (Norway) proposed an amendment to the effect that vessels should reduce their speed in narrow channels.

Mr. Hall (Great Britain) pointed out that it was one of the ordinary precautions seamen were bound to take, and the amendment was withdrawn.

Article 25.—*M. Garde* (Denmark) proposed an addition to the Rule to the effect that the local lights should be additional to the lights used on the high seas, and not be inconsistent with them.

Mr. Hall (Great Britain) and *Dr. Sieveking* (Germany) pointed out that the Sovereign Powers could not be bound as was proposed.

The amendment was withdrawn.

Article 26.—*Captain van Steyn* (Netherlands) proposed an amendment, which at *Mr. Hall's* suggestion was passed in a modified form as follows: to add to Article 26 the words, "or the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments, duly registered and published to all foreign Governments [provided that the said signals are not so arranged as to cause confusion and mistake]."

Note.—The words in brackets were subsequently struck out in Collocation Committee.

Article 27.—*M. Flood* (Norway) proposed to change the minute gun to a gun fired at short intervals.

The amendment was lost.

Captain van Steyn (Netherlands) proposed an amendment as follows: "a gun or any explosive signal," &c.; which was carried on the understanding that it should be referred to the Committee on Sound Signals.

He also proposed other sound signals which were referred to the same Committee for report.

Preamble.—*Dr. Sieveking* (Germany) proposed a preamble to be inserted before the Rules to the effect that they were applicable to all vessels on the high seas and all navigable waters.

This was referred to the Collocation Committee.

New Article. (*Steamers towing.*)—*Dr. Sieveking* (Germany) proposed a new Article as follows:—

"When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing.

This was opposed by *Mr. Goodrich* (United States), and *Mr. Hall* (Great Britain); and supported by *Captain Bisbee* (China), and *Captain Malmberg* (Sweden).

The amendment was lost.

November 19.

Mr. Shackford (United States) proposed an amendment with reference to the distance at which sound signals should be heard, which was referred to the Collocation Committee with power to prepare a note to be appended to the Regulations.

M. Verbrugghe (Belgium) proposed an amendment for communication lights, which was referred to the Committee on General Division VIII.

Mr. Hall (Great Britain) brought forward his amendment in regard to ships of war in regular formation (Article 23 of the Rules drawn up in London, as amended), which he said was in the interest of sailing-vessels to prevent their running into danger.

It was opposed by *Captain Richard* (France), as conferring a privilege on war-vessels, and as lacking in precision; and also as likely to give rise to general discontent in cases of collision between vessels of different nationality.

Mr. Goodrich (United States) also opposed it on the ground that the mercantile marine were subordinated to war-vessels.

Captain Sampson (United States), *M. Flood* (Norway), and *Dr. Sieveking* (Germany) supported it; the latter suggesting certain modifications.

The amendment was voted on in the following form:—

"In clear weather, at sea, no vessel shall attempt to cross the bow of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the line of such squadron."

The words "at sea" were inserted to prevent any doubts in regard to inland waters. The word "unnecessarily" was inserted in deference to the Delegate from Norway. The latter part of the proposed Article was omitted as surplusage.

A division was taken, France, Spain, Sweden, the Netherlands, and the United States voting against, the remainder for.

It was therefore carried.

[*Note.*—This Rule was taken out of the Regulations and submitted as a recommendation to the Powers. See Protocol of December 30.]

Article 4. (*Towing Vessels.*)—*Captain Norcross* (United States) proposed, and *Mr. Hall* (Great Britain) accepted an amendment inserting in Rule 4, after the words "6 feet apart" the words, "and when towing more than one vessel, shall carry an additional bright white light 6 feet above or below such light."

The amendment was carried.

Article 23. (*Dangers of Navigation.*)—*Mr. Hall* (Great Britain) proposed to insert the words "collision or other" before "danger" (which he said was in lieu of his former proposal: Article 22 of the London Committee). The object of the amendment was to impress on the minds of sailors that they must not hold on too long to the Rule prescribing that the holding-on ship must keep her speed as well as her course.

He said that after consideration the British Delegates had thought it more desirable to give this warning by explaining the general Rule than by having any special Rule.

The amendment was adopted.

Articles 7, 9, and 10.—The Conference proceeded to discuss the Report of the Committee on Lights for Small Craft.

Mr. Goodrich (United States) moved that the amendments proposed by the Committee should be adopted.

Article 7 was then read as amended by the Report:—

"Art. 7. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides

in sufficient time to prevent collision, in such a manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

"To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens."

The Article was adopted without discussion.

Article 9 (*a*) was then proposed:—

"Art. 9 (*a*). A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places, screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side, and the green light only on the starboard side."

M. Flood (Norway) proposed to strike out the words "on her station."

Mr. Goodrich (United States) made some observations suggested by the New Jersey and New York pilots, to the effect that the mast-head light should be carried screened, and only unscreened at certain times, instead of side lights as proposed by the Committee.

Sir G. Nares, on the part of the Committee on Lights for Small Craft, said that as long as the pilot-vessel was stationary or hovering about she should be given the white light; when moving as an ordinary vessel she should carry the side lights.

Mr. Goodrich (United States) proposed an amendment embodying his views, to the effect that the mast-head light and coloured side lights should be carried screened, and unscreened under certain circumstances.

But the original paragraph (*a*) as proposed by the Committee was carried.

Paragraph (*b*) was then proposed.

"(*b*.) A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the mast-head.

"Such vessels shall also not be obliged to carry the side lights proposed for larger pilot-vessels, but in this case they shall have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching a vessel to put a pilot on board, or on approaching to or being approached by a vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side."

Sir G. Nares (Great Britain) explained that it was proposed to meet the special case of pilot-vessels which had no boats.

Paragraph (*b*) was adopted.

"(*c*). A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels."

Paragraph (*c*) was adopted.

"Art. 10. Paragraph (*a*) of this Article applies only to boats and vessels propelled by sails or oars, of less than 20 tons gross tonnage, and only to such boats and vessels when they are under way. It therefore applies also to fishing-vessels of less than 20 tons gross tonnage when they are not actually engaged in fishing, but are under way.

"(*a*.) Boats and vessels of less than 20 tons gross tonnage shall not be obliged to carry the coloured side lights; but every such boat and vessel shall, if she do not carry such coloured side lights, have ready at hand a lantern with a green glass on the one side, and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

The proposed Rule was adopted without discussion.

Article 10.—"*Note.* Paragraph (*b*) of this Article applies only to vessels under steam of less than 40 tons gross tonnage, and only to such vessels when they are under way. It therefore applies also to fishing-vessels under steam of less than 40 tons gross tonnage when they are not actually engaged in fishing, but are under way.

"(*b*.) A vessel of less than 40 tons gross tonnage when under steam shall not be obliged

to carry the lights prescribed for other vessels under steam, but if she does not carry such lights she shall carry on or in front of her foremast, or on or in front of her funnel, or somewhere in the fore part of the vessel where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light visible for at least 2 miles, so constructed as to show over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side; and such vessel shall further carry either (1) side lights visible for at least 1 mile, or (2) a lantern with a green glass on the one side, and a red glass the other, so constructed that it will show an unbroken green light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the starboard side, and an unbroken red light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the port side. This lantern shall be carried at not less than 3 feet below the white light before mentioned."

The proposal was adopted without discussion.

" Art. .—(*a.*) All fishing-vessels and fishing-boats of 20 tons gross tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

" (*b.*) All vessels and boats when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them measured in a line with the keel of the vessel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character and contained in lanterns of such construction as to show all round the horizon, on a dark night, with a clear atmosphere, for a distance of not less than 3 miles."

Was approved without discussion.

Captain Hubert (Netherlands) proposed an amendment to be put at the end of this paragraph as follows :—

" It is finally understood and agreed that nothing contained in this Article concerning the lights to be carried and shown by fishing-vessels and boats when actually engaged in fishing shall prevent the Government of any maritime country from making Regulations as to the lights to be carried and shown, and the signals to be made by fishing-vessels and boats actually engaged in fishing in the territorial waters of any such State, nor shall it prevent two or more Maritime States, bordering any seas or waters in which boats and vessels of these States fish in common, from mutually agreeing to express Regulations as to the lights to be carried or shown, and the signals to be made by such boats and vessels when engaged in fishing in such waters."

This was carried without discussion.

Article .—" (*c.*) *Note.* The following subsections (*c*), and (*d*) and (*e*) of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea attached to any vessel in motion.

" (*c.*) All vessels under steam when engaged in trawling, having their trawls in the water and not being stationary, in consequence of their gear getting fast to a rock or other obstruction, shall carry on or in front of the foremast, and in the same position as the white light which other steam-ships are required to carry, a lantern showing a white light ahead, a green light on the starboard side, and a red light on the port side, such lantern to be so constructed, fitted, and arranged as to show an unbroken white light over an arc of the horizon of four points of the compass, an unbroken green light over an arc of the horizon of ten points of the compass, and an unbroken red light over an arc of the horizon of ten points of the compass, and it shall be so fixed as to show the white light from right ahead to two points on the bow on each side of the vessel, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side. Such vessels shall also carry a white light in a lantern, so constructed as to show a clear and unbroken light all round the horizon, the lantern containing such white light to be carried lower than the lantern showing the green, white, and red lights, as aforesaid, so, however, that the actual distance between them shall not be less than 6 feet nor more than 12 feet."

The proposal was adopted without discussion.

" (*d.*) All sailing-vessels of 5 tons gross tonnage, and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern, so constructed as to show a clear and unbroken light all round the horizon, and also

provide a sufficient supply of red pyrotechnic lights, which shall each burn for at at least thirty seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light and one of the pyrotechnic lights shall be shown on approaching to or being approached by another vessel, in sufficient time to prevent collision."

Captain Richard (France) asked what wa sthe object of the provisions as to vessels of 40 and 5 tons. Formerly vessels of 20 tons and over were distinguished.

Captain Donner (Germany) explained that it was thought necessary to arrange special lights for small craft which are not generally sea-going vessels, and for small steamers, as well as for a class of small trawlers on the Baltic which could not carry the fixed mast-head light.

Article. —"All lights mentioned above shall be visible at a distance of 2 miles.

"(*e.*) Sailing vessels of less than 5 tons gross tonnage engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall not be obliged to carry the white light mentioned in section (*d*) of this Article, but, if they do not carry such light, they shall have at hand a lantern showing a bright white light, and shall, on approaching to or being approached by another vessel, exhibit it where it can best be seen in sufficient time to prevent collision; and instead of showing a red pyrotechnic light they may show a flare-up light.

"(*f.*) All vessels and boats when employed in line fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels when engaged in fishing with drift-nets.

"(*g.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

"(*h.*) Fishing-vessels and boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, the flare-up lights shall be exhibited from the bow.

"(*i.*) Every fishing-vessel and every boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least 1 mile."

The remainder of the proposals of the Committee were carried without discussion.

It being understood by the Conference that Mr. Thomas Gray was obliged to return to England in consequence of illness,

Dr. Sieveking (Germany) proposed, and *Mr. Goodrich* (United States) seconded, a Resolution "that the thanks of the Conference be voted to Mr. Thomas Gray for the very valuable services which he has rendered to the Conference by the assistance which he has given."

The Resolution was carried unanimously.

November 20.

Dr. Sieveking (Germany) proposed an amendment (as paragraph (*k*) to Article), giving vessels fishing with drift-nets and lines the right of way over trawlers.

M. Verbrugghe (Belgium) opposed it.

After some discussion the decision was postponed.

Captain Richard (France) moved the reconsideration of Articles 7, 9, and 10, on the ground that the Conference had decided on them too hastily.

The motion was put and carried.

November 25.

Article 7.—The Report of the Committee on Lights for Small Craft was reconsidered.

Article 7 was carried without discussion.

Article 8.—In Article 8 no alteration was proposed.

Article 9 (*a*).—*Mr. Goodrich* (United States) suggested certain verbal alterations.

Captain Richard (France) pointed out that in many countries there was no distinction made between the lights for fishing-boats and pilot-boats. Was it important to make such a distinction?

Captain Donner (Germany) explained that section (*b*) was introduced at the request of the Delegate for Norway, to meet the requirements of his own pilot-boats.

Mr. Hall (Great Britain) suggested that some form of words should be introduced by

the Collocation Committee to clear up any possibility of doubt that a vessel can use her ordinary side lights instead of other special lights; the white light to be shown first.

This was agreed to.

Article 9 (*a*), with this provision, was carried.

Article 9 (*b*).—*M. Flood* (Norway) proposed to omit it on the ground of the inconvenience and uselessness of the coloured light.

Dr. Sieveking (Germany) said that he hoped the Conference would decide on the question of principle as to whether these small boats should have the right of way or not.

Mr. Hall (Great Britain) said that the question of the sole use of the white light on small boats had been carefully considered by the Committee. If the small boats were absolved from the duty of carrying the coloured lights, difficulties would at once be encountered in regard to the Steering and Sailing Rules.

Captain Donner (Germany), who had voted in the minority in the Committee, said that he and his colleagues were now ready to support the proposed Rule in consideration of the difficulty which would arise in the Sailing Rules if the Rule were not passed.

Mr. Hall (Great Britain) moved an amendment upon M. Flood's amendment to the effect that "it is not desirable to alter subsection (*b*)."

This was carried.

Article 9 (*c*) was carried without discussion.

Article 10 (*a*) was carried without discussion.

Article 10 (*b*).—*Captain Richard* (France) objected to fixing the limit of 40 tons. He preferred 20.

Captain Donner (Germany) on behalf of the Committee explained the reasons which had led them to agree on the Rule.

Paragraph (*b*) was adopted.

Article (*a*) was adopted without discussion.

Article (*b*) was also adopted without discussion.

Article (*c*).—*Captain Richard* (France) objected to the use of the lantern showing the three lights, and to the division of trawling vessels into two categories. He moved to refer the Article back to the Committee.

M. Verbrugghe (Belgium) said sailing trawlers and steam trawlers were under different conditions.

Captain Donner (Germany) agreed.

Mr. Hall (Great Britain) said the light mentioned had been used since 1884.

Sir G. Nares (Great Britain) said it was of very great importance to know by the light that a vessel had a net attached to her. It was difficult to choose any other light.

Captain Richard's motion was lost, and the Rule carried.

November 26.

Article .—The paragraph excepting all territorial waters, if so desired by any Power, from the operation of the Rules for lights on fishing-vessels, and allowing two or more States to make their own arrangements for bordering seas, was then discussed.

Captain Hubert (Netherlands) said the Convention to be held at the Hague had been postponed till after the Conference.

Mr. Goodrich (United States) opposed the insertion of the paragraph as conferring the same powers as Article 25.

Dr. Sieveking (Germany) said any Government had the right of altering the Rules, which did not come into force by Treaty. There was nothing in the way of several Powers agreeing to adopt certain Rules in certain seas. The proviso was already well understood.

Mr. Hall (Great Britain) agreed that the amendment was superfluous.

Captain Richard (France) hoped the amendment would be withdrawn.

Captain Hubert withdrew it.

Article (*d*).—*Captain Settembrini* (Italy) moved an amendment for omitting the red pyrotechnic lights on sailing-trawlers of 5 tons or upwards.

He said the burden of providing these lights was too great for the fishermen of the Mediterranean.

Mr. Hall (Great Britain) suggested that the exception might be made by local rules.

Captain Richard (France) supported Captain Settembrini.

The amendment was carried by a vote of 15 to 8. In the minority voted: Belgium, Germany, Great Britain, Guatemala, Russia, Sweden, the Netherlands, United States.

Mr. Hall (Great Britain) pointed out that the result of the vote was that a sailing-trawler up to 50 tons was not bound to carry anything but a white light.

Mr. Goodrich (United States) proposed the reconsideration of the question.

The motion was carried, and

Mr. Carter (Hawaii) moved to substitute "7" tons for "5" tons. This was carried, and the amended paragraph (*d*) was substituted for Captain Settembrini's amendment, leaving thus the pyrotechnic lights unaltered, but changing the limit from 5 to 7 tons.

Paragraph (*e*), as amended in consequence of the previous amendment (5 to 7 tons), was then passed.

Paragraphs (*f*), (*g*), and (*h*) were carried without discussion.

Article (*i*).—*Mr. Hall* (Great Britain) explained that this paragraph was inserted because the fishermen have an idea that the other Rules did not apply to them.

Article 10 and Article .—*Captain Hubert* (Netherlands) moved to except from these Articles regions where their enforcement would prove too difficult in consequence of local conditions.

Dr. Sieveking (Germany) said that this might be left to the Governments. Foreign Governments could be informed of any changes made in the Rules. A note could be appended to the Rules to that effect.

Captan Hubert withdrew his amendment on that understanding.

Article .—*Dr. Sieveking* (Germany) moved an amendment that sailing-vessels should keep out of the way of sailing-vessels engaged in fishing. He said that he had abandoned his former amendment as to trawlers and fishing-vessels, which question, he said, should be left to the Hague Convention.

After some suggestions from *Mr. Hall* (Great Britain) and *Captain Richard* (France), it was carried in the following form:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with their nets, lines, or trawls. In daytime such vessels or boats, when under way, shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats."

The Conference considered Resolutions proposed on behalf of the Lights Committee to the effect:—

1. That the power of lights should be expressed by referring them to one standard.
2. That the minimum power only should be fixed.
3. Incandescent and not arc lights to be used.
4. That the minimum power of light must be found at every point where the light is visible.
5. Whether the ship is heeled over or not.

These Resolutions were adopted by the Conference on the understanding that they were to be appended as a note to the Report.

The 6th Resolution was adopted after considerable discussion as follows:—

"That the colouring of the glasses by which the colour of the light is to be produced shall be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished."

7. That no detailed description of lamps should be internationally adopted.
8. The Regulations should be better enforced.

On *Mr. Hall's* (Great Britain) proposal, the following Resolution was also carried:—

"The above Resolutions of the Committee on Lights, appointed by this Conference, are recommended to the attention of the Powers represented in this Conference."

December 2.

Article 3.—*Captain Shackford* (United States) proposed the optional use of range lights.

Mr. Hall (Great Britain) supported the proposal in regard to the evidence which had been given of the great use of the range lights in inland American waters.

It was carried as follows:—

"All steamers under way may carry an additional white light, similar to the light mentioned in Article 3 (*a*). These lights must be so placed in line with the keel that one must be at least 15 feet higher than the other, and should be in such a position with

reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights must be less than the horizontal distance."

The Conference refused to adopt an amendment moved by the Spanish Delegates, that all vessels under way should keep out of the way of coupled steamers trawling.

The Additional Report of the Committee on Sound Signals was then considered.

On the reading of the recommendation with regard to pilot signals,

Mr. Hall (Great Britain) moved that the question be referred to the Code Signal Committee, and not embodied in the Rules.

After some discussion on the nature of the signal, the Resolution was passed.

Article 10 (*a*).—The proposed Article 10 (*a*) was read and carried :—

"In fog, mist, falling snow, or heavy rain-storms, a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with her lines out, shall at intervals of not more than one minute make a blast with her fog-horn, followed by ringing her bell."

Article 12 (paragraph 1).—The new Article leaves out "a bellows or other" before "mechanical means," and restricts the use of the gong to Chinese waters, as the gong is frequently used on board light-ships in European waters.

Captain Mensing (Germany) wished the gong to be permissive on all vessels.

The wording finally passed was as follows :—

"Art. 12.—A steam-ship shall be provided with a whistle or siren, sounded by steam or other efficient substitute for steam, so placed that the sound may not be intercepted by any obstructions, with an efficient fog-horn to be sounded by mechanical means, and also with an efficient bell. A sailing-vessel of 20 tons gross tonnage and upwards shall be provided with a similar fog-horn and bell.

"*Note.*—In all cases where the Regulations require a bell to be used, a drum may be substituted on board Turkish vessels, and a gong where such articles are commonly used on board small sea-going vessels."

Article 12 (paragraph 2).—The second paragraph of Article 12 was carried as proposed by the Committee :—

"Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to be provided with a mechanical fog-horn; but if not so provided, they shall make with any other instrument an efficient sound signal at intervals of not less than one minute."

Article 12. (*a*) and (*b*).—After some discussion, in which the importance of avoiding any confusion with the short blast helm-signals was pointed out, the proposals of the Committee were carried in the following modified form :—

"Art. 12 (*a.*) A steam-vessel under way shall make with her whistle or siren, at intervals of not more than two minutes, a prolongedblast of from four to six seconds' duration.

"(*b.*) A steam-vessel not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two such prolonged blasts with an interval of about one second between them.

No change was proposed in section (*c*).

Captain Shackford (United States) said that one second was too short a time for a blast on a fog-horn.

Sir G. Nares (Great Britain), on the part of the Sound Signal Committee, pointed out that the word "short" was not inserted in this section.

Section (*e*) was proposed as follows :—

"A steam-vessel, when her engines are going full speed astern, shall sound on her whistle three short blasts."

Captain Richard (France) objected to this Rule in cases where the vessels were not in sight of one another; and *Captain Mensing* (Germany) supported him.

The question was voted on, and the amendment was negatived by 15 to 5; Austria, Denmark, Italy, the Netherlands, and the United States voting in the minority.

A long discussion took place over paragraph (*f*), giving a special signal to vessels at anchor at sea in a fairway. It was decided by 12 to 8 that the principle should be adopted, and referred to the Collocation Committee.

France, Germany, Belgium, China, Chile, Russia, Spain, and Sweden voted in the minority.

December 3.

Article 4.—*Captain Salvesen* (Norway) moved that Article 4 be reconsidered so as to allow for the length of the tow.

Mr. Hall (Great Britain) supported the proposal, as according to the present wording a tug would be obliged to hoist a third light if she took even a second barge in tow.

After a long discussion as to the wording of the amendment, the Conference agreed to the following addition to the Rule :—

To add after the words "such lights" the following: "Provided that the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet."

The amendment of *M. Seoane* (Spain), proposing that all vessels under way should get out of the way of coupled steamers trawling, was discussed.

It was opposed by *Mr. Hall* (Great Britain) on the ground that in adopting the amendment the Conference would be running counter to the general principle of the Rules of the Road at Sea, and that the case was not sufficiently strong to justify such an exception.

The amendment was voted on, and lost by 14 to 9, Belgium, Chile, France, Italy, Mexico, Portugal, Spain, Siam, and Venezuela voting in the minority.

Article 12 (*a*). (*Sound Signals for Tows.*)—On the amendment of the Committee on Sound Signals as to sound signals for tows, considerable differences of opinion arose.

It was resolved, finally, to reconsider the question whether a sound signal was to be adopted for a sailing-vessel towing.

Mr. Hall (Great Britain) stated that he would vote against any special signal, in regard to the facts that the occasions are rare when such signals are wanted, and to the difficulty of finding such a signal at all.

The Conference decided in that sense.

Captain Mensing (Germany) moved that an optional signal should be introduced for use on sailing-vessels.

Seven voted in the affirmative, and 12 in the negative. Belgium, Denmark, Germany, Hawaii, Italy, Japan, and Holland voted in the minority.

Captain Richard (France), with the view to separate the question of a steam-vessel towing from a sailing-vessel towing, proposed the following :—

"A steam-vessel when towing shall at intervals of not more than two minutes sound upon her whistle, siren, or fog-horn three blasts in succession, viz., one prolonged blast followed by two short ones."

This was adopted.

He also moved to reconsider the question of giving sailing-vessels towing a signal.

This was opposed by Captain Mensing (Germany), and the discussion was adjourned. (See 4th December.)

December 4.

The discussion on Captain Richard's amendment (to restore the words "a sailing-vessel") was proceeded with.

Sir G. Nares explained the position of the Committee, and stated his reasons for supporting the amendment.

Captain Donner (Germany) stated that a sailing-ship often took another in tow in the North Sea.

Mr. Hall (Great Britain) said that such exceptional cases might be dealt with by local Rules. He adhered to his objection formerly expressed.

Mr. Carter (Hawaii) said the Rule would be important in the Pacific, where steam-tugs were rare.

Captain Malmberg (Sweden) asked if the signal proposed would override the signals relating to the wind under Article 14, or be additional to them.

It was explained that the signal should override the signals provided for in Article 14.

A vote was taken :—

Eighteen were in the affirmative, 5 in the negative. Belgium, Germany, Great Britain, Mexico, and Russia composed the minority.

Article 12 (*g*).—*Mr. Hall* (Great Britain) proposed to add at the end of the clause the following :—

"When more than one vessel is being towed, each vessel towed shall sound this signal on hearing the sound signal of an approaching vessel."

Captain Richard (France) opposed the addition.

Sir G. Nares (Great Britain), on behalf of the Committee, moved an amendment :—

"A vessel towing shall at intervals of not more than two minutes, and the vessel towed, may sound three blasts in succession, viz., one prolonged blast followed by two short blasts."

The object was, he explained, when several vessels were being towed, to enable each one, if necessary, to give a signal showing that there was yet another vessel behind. It was not proposed that each vessel should repeat the signal the whole time the fog lasted.

A vote was taken, and the paragraph was passed with one dissentient vote (France).

Captain Norcross (United States) moved that the form of signal should be changed.

The motion was lost.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, moved that the signals used by towing-vessels should be in lieu of those provided for in sections (*a*), (*b*), and (*c*,) so that the steamer towing shall not be obliged to make her one blast, and the vessel towed shall not be obliged to make her sailing-vessel's signal.

This was carried.

Mr. Hall (Great Britain) pointed out that the vessel towed was in the category of a sailing-vessel, and therefore the signal must be given on the fog-horn.

The suggestion was adopted.

The whole paragraph (*g*) was then carried as follows :—

"A steam-vessel and a sailing-vessel, when towing, shall, instead of the signals provided under sections (*a*) and (*c*) of this Article, at intervals of not more than two minutes sound on the whistle, siren, or fog-horn three blasts in succession, viz., one prolonged blast followed by two short blasts.

A vessel towed may also give this signal on her fog-horn, but not on her whistle or siren.

Article 12 (*h*).—*Sir G. Nares* (Great Britain) then proposed a signal to indicate, "The way is off my ship, you may feel your way past me."

Captain Malmberg (Sweden) opposed it, as likely to entice steamers to draw too near each other.

Captain Mensing (Germany) also opposed it.

Captain Richard (France) thought the Rule would be better in the Signal Code. Only strictly indispensable sound signals should be inserted in the Rules.

Mr. Hall (Great Britain) said he would vote for the signal, which he thought a good one, if optional. A strong representation had been made by the Board of Trade, and a strong desire for it expressed by sailors. It would be buried in the International Code Signal Book.

The question was put, and carried by 15 to 4 in favour of the signal.

France, Germany, Spain, and Sweden voted in the minority.

Paragraph (*h*) was then carried as follows :—

"A steam-vessel wishing to indicate to another 'The way is off my ship, you may feel your way past me,' may sound on her whistle or siren three blasts, viz., short, long, short, with intervals of about one second between them."

Article 12 (*i*).—*Captain Mensing* (Germany) proposed a special signal for vessels not under command and vessels laying telegraph cables.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, opposed any increase in the number of signals.

Mr. Hall (Great Britain) said he would vote for a signal, but in the hope that one of the existing signals could be utilized.

Captain Richard (France) said the signal was as necessary, and more so, than the last voted on.

The Conference decided by 15 to 4 that a signal should be given. Austria-Hungary, China, Hawaii, and Italy voted in the minority.

The duty of selecting the signal was referred to the Sound Signal Committee.

December 5.

Sir G. Nares (Great Britain), on behalf of the Sound Signal Committee, presented a scheme for the two fog signals for a vessel not under command and a vessel laying or picking up a telegraph cable.

The first proposal made was as follows :—

"A ship under way which is unable to get out of the way of an approaching vessel, through being not under command, or unable to manœuvre as required by these Regulations, shall, on hearing the fog signal of an approaching vessel, sound on her whistle, siren, or fog-horn four short blasts."

It was carried, with the addition of the words "in answer" after "sound," in order to indicate that the signal is to be an answer to each signal sounded by an approaching vessel.

The second proposal was as follows:—

"A ship employed in laying or picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer on her whistle, siren, or fog-horn three prolonged blasts in succession."

The proposal was carried.

The question of pilot signals was passed over in accordance with a previous Resolution, deciding that the Conference should not discuss them under the Rules of the Road, but should relegate the subject to Committee No. 2, dealing with General Division VIII.

Article 19.—*Sir G. Nares* (Great Britain), on the part of the Sound Signal Committee, proposed to substitute, "My engines are going full speed astern," for the former wording, "I am going full speed astern."

The question was carried.

Article .—On behalf of the Fog Signal Committee, *Sir G. Nares* (Great Britain) moved an amendment on an Article already carried.

After some discussion as to the duration of a flare-up light and other questions, the Article was carried as follows:—

"Art. .—Every ship may, if necessary, in order to attract attention to the lights which she is by these Regulations required to carry, show a flare-up light, or use any detonating signal that cannot be mistaken for a distress signal.

Mr. Goodrich (United States) moved to insert, after the word "attention," the words, "to prevent risk of collision," but the amendment was lost.

Article 27.—*Sir G. Nares* (Great Britain) moved an amendment to the distress signals during day: to add—

"4. Rockets or shells bursting in the air with a loud report, and throwing stars of any colour or description, fired one at a time, at short intervals.

"5. A continuous sounding with any fog signal apparatus."

These signals were adopted by the Sound Signal Committee, as referred to them by the Conference.

The Conference passed the additions proposed.

Sir G. Nares (Great Britain) then moved an additional distress signal for the night:—

"4. A continuous sounding with any fog signal apparatus," which was also carried.

The question was then discussed as to whether a pilot-vessel wishing to offer her pilotage services should be given a special fog signal for that purpose.

Sir G. Nares (Great Britain), on behalf of the Fog Signal Committee, advocated such a special signal.

A division was taken: 11 voted for and 9 against. France, Germany, Great Britain, Hawaii, Mexico, Portugal, Russia, Sweden, and the Netherlands voted in the minority.

The Conference also decided that a signal should be found for a vessel wanting a pilot.

Mr. Hall then moved that Committee No. 2 be requested to report as to the nature of the signals for pilots; such signals having no connection with the Rules of the Road.

The motion was carried.

December 9.

On the motion of *Mr. Goodrich* (United States), the Conference decided unanimously against the adoption of course-indicating sound signals in foggy or thick weather.

An intercalatory Report from the Collocation Committee was read recommending the reconsideration of M. Flood's (Norway) amendment to Article 3, passed November 14, as to the position of the side lights.

The Conference determined to reconsider the question, and referred it to the Committee on Lights.

The Report of the Committee upon the subject of a uniform load mark was read.

Mr. Hall (Great Britain) stated that though most anxious that the matter should become a subject for international agreement, yet, having regard to the fact that the Committee reported it as not ripe for consideration by the Conference, he would bow to the decision of the Committee.

The Report of the Committee was adopted unanimously.

The Report of the Committee upon Division XIII (the establishment of a permanent International Marine Commission) was then read.

The minority Report of M. August Schneider (Denmark) was also read.

M. Schneider hoped that the question would be left open, so that any Government, when the time was ripe, could launch the plan again.

M. Flood (Norway) supported this proposal.

Dr. Sieveking (Germany) opposed it. He pointed out the impracticable nature of the scheme for a Maritime Commission, and thought that the wording of the Report was sufficient.

M. Garde (Denmark) said that he had no instructions from his Government, but thought that much good would result from the establishment of a Bureau which should lay before every Marine Conference particular proposals submitted by private persons.

Mr. Hall (Great Britain, Chairman of the Committee) pointed out that such a Bureau did not come under the consideration of the Committee.

The Report of the Committee was adopted.

December 12.

M. Flood (Norway) proposed his Resolution recommending to the Powers the advisability of a Bureau of Maritime Information.

M. Garde (Denmark) explained that what was wanted in his country was not a permanent Commission, but a link or medium between the different countries where proposals could be sent from any country which does not have a regular Board of Trade. He instanced the Telegraphic Convention of 1885, by which a Central Institution was established.

Mr. Hall (Great Britain, Chairman of the Committee on Division XIII) opposed the proposal, which amounted, he said, to a demand on the part of the Powers which had no Board of Trade for an international one, of which Great Britain should pay 65 per cent. of the expenses. The Powers could consider the question, if they chose, without any recommendation from the Conference. The Scandinavian Powers, if they desired it, could form a Bureau of their own.

Dr. Sieveking (Germany) said the German Government was opposed to the scheme. He saw no real difference between the Bureau and the Commission against which the Committee had reported. Most Governments had their Boards of Trade, and discussed matters of common interest internationally. The Bureau would only result in loss of time.

Captain Sampson (United States) saw a great difference between a Commission and a Bureau. He instanced the International Bureau of Weights and Measures. The Committee on Buoyage could testify to the expense caused by the want of a uniform system. A Bureau might put an end to such diversity.

The Resolution was put in the following words :—

"That the Conference recommend that the advisability of a Bureau of Maritime Information should be considered by the Governments of the maritime nations."

Seven voted in the affirmative and 12 in the negative. Denmark, Hawaii, Japan, Norway, Siam, the Netherlands, and the United States voted in the minority.

December 16.

Article 3.—*M. Flood's* (Norway) amendment as to the position of the side lights was reconsidered.

A Report of the Committee on Lights was read, recommending that the Rule should stand as it was, except as regards sailing-vessels, provided it was adopted universally.

Mr. Hall (Great Britain) pointed out that great expense would be incurred by existing steam-vessels, some of which would have to be reconstructed. As regards sailing-vessels, the Report of the Committee was conclusively against the proposal.

M. Flood reiterated his arguments.

Dr. Sieveking said that, in view of the objections of Great Britain, he would not vote for the insertion of the Rule into the Regulations. A recommendation might be made in a similar sense and appended to the Rules.

M. Flood's amendment was lost.

Dr. Sieveking (Germany) moved a Resolution—

"That it is approved by the Conference, and recommended to the attention of the Powers represented thereat, that green and red side lights should be placed in steam-vessels not forward of the masthead light, and that this Resol tion be inserted in Appendix 3 to the Report of the Committee on Collocation of the Rules."

The Resolution was adopted.

The Report of the Committee on Life-saving Systems and Devices was read.

The several Resolutions proposed in the Report were put to the Conference.

Resolution 1. (See Protocol, 20th December.)

Resolutions 2 and 3 were carried.

Resolution No. 4 was amended, on *Mr. Hall's* (Great Britain) proposal, by the substitution of the word "uniform" for "a set of," so as to read, "prepare uniform instructions," and carried in that form.

In the fourth paragraph of the Resolution the word "pyrotechnic" was inserted on *Captain Mensing's* (Germany) proposal, so as to read "blue pyrotechnic light."

The fifth Resolution was carried without change, and the Report adopted in its entirety by the Conference.

The Report of the Committee on General Divisions II, IV, and VI was read and considered.

The Report on General Division II was adopted.

In the Report on General Division IV, *Captain Richard* (France) moved that the smallest letters of the name of a ship should not be less that 8 inches high.

The proposal was lost by 9 votes to 10. Belgium, China, Chile, France, Russia, Spain, Sweden, Siam, and the Netherlands voted in the minority.

The Conference adopted the first proposition in the Report of the Committee on Division IV.

After some discussion as to the character to be used in the designation of the draught, the second proposition was carried.

The Report of the Committee in General Division VI was read.

Captain Richard (France) objected to the imposition of tests for colour-blindness.

Captain Sampson (United States) pointed out that the Committee had only recommended that each Government should provide a place where men and boys who propose to go to sea could have their eyesight tested. It was a voluntary matter.

Mr. Hall (Great Britain) agreed that it would be impossible to make the recommendation into a Rule.

Captain Richard (France) said he only desired guarantees of this sort for master mariners.

Captain Sampson (United States) agreed, and quoted instances showing the danger of not having such tests.

Mr. Hall (Great Britain) said that if such examinations were instituted it would prevent men from going to sea who could never rise to the grade of an officer.

Captain Richard (France) moved to strike out the last three lines of paragraph No. 1 ("and no man or boy should be permitted to serve on board any vessel in the capacity of seaman, or where he will have to stand look-out, whose visual power is below one-half normal, or who is red or green colour-blind").

The motion was lost. France, Germany, Mexico, Russia, and Siam voting in the minority.

Paragraph 2 was adopted, *Captain Richard* (France) suggesting the addition of the words, "or as a pilot."

The third paragraph was adopted without alteration.

The Report as amended was adopted.

The Report of Committee No. 2, Division VII (Ocean Laws), was then read.

After some discussion as to the precautions to be taken by fishermen on the Banks, the Report was adopted.

The Report of Committee No. 2 on Division VIII (Night Signals for communicating Information at Sea) was read and adopted.

December 18.

The Report of the Collocation Committee was read.

An amendment put by *Captain Shackford* (United States) to strike out "two" and substitute "three" before miles in the last line of Article 2 (*b*) and (*c*) was lost.

Dr. Sieveking (Germany) moved an amendment in Article 2 (*d*) to insert the words, "more than half a point," after the word "seen."

Mr. Hall (Great Britain) moved, in lieu of this amendment, to insert as a note to Appendix (B) the following:—

"Side lights should be so screened as to prevent the most convergent rays of the lights being seen more than half a point across the bows."

Captain Salvesen (Norway) moved that the Conference adopt the Rules of the Board of Trade as to the screening of side lights.

Mr. Hall's amendment was carried, after a long discussion, by 16 to 3. Austria, Russia, and the United States voted in the minority.

Dr. Sieveking (Germany) moved in Article 4 (*a*), instead of the words, "in the same

position," to insert the words, "at the same height," and after the words, "Article 2 (*a*)," nsert the words "where they can best be seen."

Mr. Hall (Great Britain) supported the amendment on the grounds that it might be difficult for a vessel out of command to hoist a light in front of the foremast, or it might be desirable to hoist it aft.

It was carried by 10 votes to 9. Brazil, Belgium, China, Chile, France, Mexico, Sweden, Siam, and the Netherlands voted in the minority.

Captain Mensing (Germany) proposed in Article 4 (*a*) to strike out the words, "in globular lanterns" and insert, after "visible," the words, "all around the horizon."

Mr. Hall (Great Britain) supported the change, on the ground that the best lanterns were flat at top and bottom.

The amendment was carried.

The same change was made in Article 4 (*b*).

Dr. Sieveking (Germany) moved an amendment in Article 7, 1 (*b*), as to the position of the lanterns, which was lost.

December 19.

Mr. Goodrich (United States) moved an amendment, which was originally proposed by the British Delegates, to Article 22:—

"When, in consequence of thick weather or other causes, two ships find themselves so close to each other as to make it doubtful whether by the action of one ship alone a collision can be avoided, the ship which by the above Article is directed to keep her course and speed shall also take such action as will best avoid collision."

He said he was acting by the advice of a distinguished New York Judge. He thought it was necessary to place this provision so as to catch the mariner's eye immediately after the Rule which provides that the holding-on ship should keep her course and speed.

Mr. Hall (Great Britain) pointed out that the proposed amendment had been withdrawn in deference to the wishes of the Conference, and other words introduced into the general Rule to make it apply to cases of collision.

Dr. Sieveking (Germany) strongly opposed the amendment, on the ground that it made the application of the new Rule as to keeping speed doubtful. He said that if the amendment were accepted it would entail the reconsideration of all the Rules.

Mr. Hall (Great Britain) said that he would bow to the former decision of the Conference, and vote against reconsideration. The whole matter had been most carefully discussed.

On the vote for reconsideration being taken, the United States were in a minority of one.

Mr. Hall (Great Britain) moved an amendment to Article 7 (*c*) as follows:—

"Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it must be carried above the combined lantern mentioned in (*b*)."

This was to meet the case of boats which could not conveniently have masts.

It was carried.

Dr. Sieveking (Germany) moved to add to Articles 7 and 9 the words, "The vessels referred to in this Article shall also not be obliged to carry the light prescribed by Article 4 (*a*) and Article 11, last paragraph."

This was to correct an oversight, as it was not intended that small craft should carry the out-of-command lights and lights for vessels aground.

It was carried.

Captain Malmberg (Sweden) proposed an amendment, which was carried in the following modified form:—

Article 8. At the beginning insert the word "near" before "approach."

Dr. Sieveking (Germany) proposed an amendment which, at *Mr. Hall's* suggestion, was modified and carried in the following form:—

Article 8, paragraph 2. Instead of the words "have at hand temporarily," insert the words, "shall have their side lights lighted ready for use, and shall flash or show them at short intervals."

Paragraph 3 to be struck out.

It was carried.

Dr Sieveking (Germany) proposed in Article 9, (*b*) 1, to read, instead of "four" points abaft the beam, "two" points, in order that the light should show in the same way as the side lights.

The amendment was carried.

Captain Settembrini (Italy) moved an amendment, which he modified at *Mr. Hall's* suggestion, and which was passed in the following form:—

"In the Mediterranean Sea, all vessels referred to in subsection (*b*) 2 may show the flare-up light instead of the pyrotechnic light."

Dr. Sieveking (Germany) moved to insert in Article 2, instead of the words, "in a globular lantern so constructed," the words, "of such a character."

This was adopted.

December 20.

Dr. Sieveking (Germany) proposed in Article 21, instead of the words "and speed," to insert the words, "and where one of two crossing vessels is to keep out of the way the other shall keep her course and speed."

He said that the Rule as it stood was applicable to overtaken vessels, and that he desired to except them from the Rule.

Mr. Hall (Great Britain) opposed the change. What was wanted was a general rule which would clear up the doubt as to the meaning of the phrase "keep your course." He was against exceptions.

Mr. Goodrich (United States) pointed out that the addition of the words "and collision" in Rule 28 covered exceptional cases in which strict adherence to Rule 21 would be dangerous.

A vote was taken, and resulted in 2 votes for and 16 against; Germany and Siam voting in the minority.

Captan Richard (France) moved an amendment to eliminate Article 27 from the Regulations, and to add it to Appendix (B) of the Report as a Resolution recommended to the consideration of the Powers.

He said that the rule as to ships of war in line might lead to international difficulties.

Mr. Hall acceded to the proposal, which was adopted.

Captain Sampson (United States) proposed to omit the words, "and collision," after "navigation," in Article 28.

Mr. Hall pointed out that the words had been inserted in order to point out to the sailor that the holding-on vessel was bound to do what she could to prevent collision.

Ten voted in the affirmative, and 10 in the negative, so the amendment was not carried. Brazil, Chile, Denmark, France, Germany, Russia, Spain, Siam, and the Netherlands voted with the United States.

Various verbal corrections were proposed and considered, and the discussion on the Rules was brought to an end.

Mr. Goodrich (United States) proposed to insert in the Rules a provision as to the duty of masters to afford assistance in case of collision, taken from the English Act.

Captain Richard (France) objected to its insertion in the Rules, as it required legislative sanction.

Mr. Goodrich moved that the Resolution should be annexed to the Rules in the Appendix.

It was passed in the following form:—

"In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which, or to which, she is bound."

December 30.

Captain Richard (France) proposed that a Final Act be prepared, to be signed by the President, showing the Resolutions adopted by the Conference.

The proposal was carried.

The Report of General Division IX was adopted.

The Report of General Division XII was also adopted after some discussion as to the rules as to buoyage in American waters.

Mr. Goodrich (United States) proposed that the Final Report of the Collocation Committee be adopted.

Mr. Verney (Siam) desired further consideration of the Rules as drawn up, on the ground that they needed more careful editing.

Mr. Goodrich's motion was, however, adopted, and the Rules, as amended, carried

December 31.

The Reports on General Divisions X and XI were read and adopted.

Mr Hall proposed, and *Admiral Kaznakoff* (Russia) seconded, a vote of thanks to the President, Rear-Admiral Franklin, which was carried.

Dr. Sieveking (Germany) proposed, and *Captain Richard* (France) seconded, a vote of thanks to the Secretaries.

The Conference was then declared at an end.

Appended is a copy of the Rules of the Road as finally adopted, and of the Resolutions connected therewith.

The Resolutions based upon the Reports will be found under Inclosure 16.

Appendix (A.)

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Preliminary.

THESE Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "steam-vessel" shall include any vessel propelled by machinery.

A vessel is "under way" within the meaning of these Rules, when she is not at anchor, or made fast to the shore, or aground.

Rules concerning Lights, &c.

The word "visible" in these Rules when applied to lights shall mean visible on a dark night, with a clear atmosphere.

Article 1. The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry—

(*a.*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(*b.*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c.*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e.*) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow measuring from the stern of the towing-vessel to the stern of the last vessel towed exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light mentioned in Article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam,

Art. 4. (*a.*) A vessel which from any accident is not under command shall carry at the same

height as the white light mentioned in Article 2 (*a*), where they can best be seen, and if a steam-vessel, in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes, each 2 feet in diameter.

(*b.*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (*a*), and if a steam-vessel, in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command, and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art. 5. A sailing-vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails, of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned in Article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:—

1. Steam-vessels of less than 40 tons shall carry:

(*a.*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (*a*), and of such a character as to be visible at a distance of at least 2 miles.

(*b.*) Green and red side-lights constructed and fixed as prescribed in Article 2 (*b*) and (*c*), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*) and Article 11, last paragraph.

Art. 8. Pilot-vessels, when engaged on their station on pilotage duty, shall not show the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot-vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing-vessels and fishing-boats, when under way and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a.*) Vessels and boats when fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(*b.*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (*a*) a tricoloured lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards shall carry a white light in a lantern so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision (*b*) 1 and 2 shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision (*b*) 2 of this Article, but if they do not carry such light they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels, be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision (*b*) 2, or in lieu thereof a flare-up light.

(*c.*) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(*d.*) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after-part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing-gear, they shall be exhibited from the bow.

(*e.*) Every fishing-vessel and every boat when at an anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*f.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog signal prescribed for a vessel at anchor respectively. (See Article 15 (*d*), (*e*), and last paragraph.)

(*g.*) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than 1 minute, make a blast; if steam-vessels, with the whistle or siren, and if sailing vessels, with the fog-horn, each blast to be followed by ringing the bell.

(*h.*) Sailing-vessels or boats fishing with nets or lines, or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket, or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*) and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a lantern so constructed as to show a clear, uniform, and unbroken light, visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry, in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by Article 4 (*a*).

Art. 12. Every vessel may, if necessary, in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light, or use any detonating signal that cannot be mistaken for a distress signal.

Art. 13. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station- and signal-lights for two or more ships of war, or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Art. 15. All signals prescribed by this Article for vessels under way shall be given:

1. By "steam-vessels," on the whistle or siren.

2. By "sailing-vessels and vessels towed," on the fog-horn.

The words "prolonged blast" used in this Article shall mean a blast of from four to six seconds' duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam, or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(*a.*) A steam-vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between them

(*c.*) A sailing-vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack, one blast, when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

(*d.*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

(*e.*) A vessel at anchor at sea, when not in ordinary anchorage ground, and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than two minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing-vessel, at intervals of not more than one minute, two blasts with her fog-horn, followed by ringing her bell.

(*f.*) A vessel when towing shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this Article, at intervals of not more than two minutes, sound three blasts in succession, viz., one prolonged blast followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

(*g.*) A steam-vessel wishing to indicate to another, "The way is off my vessel, you may feel your way past me," may sound three blasts in succession, viz., short, long, short, with intervals of about one second between them.

(*h.*) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer three prolonged blasts in succession.

(*i.*) A vessel under way which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer four short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than one minute.

Speed of Ships to be Moderate in Fog, &c.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass-bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing-vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, viz.:—

(*a.*) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(*b.*) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(*e.*) A vessel which has the wind aft shall keep out of the way of the other vessel.

* In all cases where the Rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these Rules to keep out of the way of another vessel, shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Art. 24. Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in Sight of one another.

Art. 28. The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz.:—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern.

No Vessel, under any circumstances, to neglect proper Precautions.

Art. 29. Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 30. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Distress Signals.

Art. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz.:—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by N C;

3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;

4. Rockets or shells as prescribed below for use at night;

5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute;

2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);

3. Rockets or shells, bursting in the air with a loud report and throwing stars of any colour or description, fired one at a time at short intervals;

4. A continuous sounding with any fog-signal apparatus.

Appendix (B.)

The following Resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat:—

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.

2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.

3. The use of incandescent lamps should be permitted; the use of arc lights at present should be excluded for all purposes other than signalling and searching.

4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible, after the lamp has been fitted with proper screens.

5. The lanterns should be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.

6. The colour of the glasses by which the colouring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished.

7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.

8. The side-lights should be so screened as to prevent the most convergent rays of the lights being seen across the bows more than half a point.

9. The side-lights should be placed in steam-vessels not forward of the mast-head light.

10. To meet the number of complaints as to the absence of proper lights on sailing-vessels, the attention of the Powers is called to the better enforcement of the Regulations in that behalf.

11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.

12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam when the engines are stopped, in such a manner as to occasion as little noise as possible.

13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such squadron.

14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which, and to which, she is bound.

Inclosure 3 in No. 139.

Report of the Committee appointed to prepare the Material for Printing the International Rules of the Road: together with Memoranda of Changes in the Rules of any Powers other than Great Britain, in accordance with the Resolution of October 17, 1889.

Committee:

Dr. F. SIEVEKING, *Delegate from Germany.*
Mr. FREDERICK W. VERNEY, *Delegate from Siam.*
SHIUZO TSUKAHARA, *Delegate from Japan.*

YOUR Committee, in presenting the following Report, desire to inform the Conference that they have not been furnished with the Regulations for Preventing Collisions at Sea in use by the following Powers:—

China,	Nicaragua,
Costa Rica,	Russia,
Guatemala,	Spain,
Hawaii,	Uruguay,
Honduras,	Venezuela.

In the event of these being forthcoming, the Committee are ready to compare them with those of Great Britain in the form of a Supplementary Report.

(Signed) DR. F. SIEVEKING,
October 28, 1889. *Chairman of the Committee.*

Preambles.

GREAT BRITAIN.

At the Court at Osborne House, Isle of Wight, the 11th day of August, 1884.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by Order in Council made in pursuance of "The Merchant Shipping Act Amendment Act, 1862," and dated the 14th day of August, 1879, Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that, on and after the 1st day of September, 1880, the Regulations for Preventing Collisions at Sea contained in an Order in Council dated the 9th day of January, 1863, and the additions by an Order in Council dated the 13th day of June, 1868, made thereto, should be annulled, and that there should be substituted therefor the new Regulations contained in the first Schedule to the said first-named Order in Council, and that the same should, from and after the 1st day of September, 1880, apply to ships of the countries mentioned in the said second Schedule thereto, whether within British jurisdiction or not;

And whereas by the Orders in Council dated, respectively, the 24th day of March, 1880, the 26th day of August, 1881, the 18th day of August, 1882, the 23rd day of August, 1883, and the 2nd day of February, 1884, Her Majesty was pleased to direct that the operation of the Article numbered 10, of the new Regulations, contained in the first Schedule of the said Order in Council of the 14th day of August, 1879, should be suspended from time to time;

And whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty that, so far as regards British ships and boats, the Regulations hereinafter set forth shall be substituted for the Regulations contained in the first Schedule to the said Order in Council of the 14th day of August, 1879;

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said

recited Act, and by and with the advice of Her Privy Council, is pleased to direct that, on and after the 1st day of September, 1884, the Regulations contained in the Schedule hereto shall, so far as regards British ships and boats, be substituted for the Regulations contained in the first Schedule to the said Order in Council of the 14th day of August, 1879.

(Signed) C. L. Peel.

United States.

An Act to adopt the "Revised International Regulations for Preventing Collisions at Sea."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the following "Revised International Rules and Regulations for Preventing Collisions at Sea" shall be followed in the navigation of all public and private vessels of the United States upon the high seas and in all coast waters of the United States, except such as are otherwise provided for, namely:—

* * * * * *

Belgium.

1er *Août*, 1880. *Arrêté Royal portant un nouveau Règlement des Feux et Signaux en temps de Brume pour prévenir les Abordages.*

Léopold II, &c.,

Nous avons arrêté et arrêtons:

Article 1er. A dater du 1er Septembre, 1880, les bâtiments de la Marine de l'État, ainsi que les navires nationaux du commerce, seront assujettis aux prescriptions ci-après, qui ont pour objet de prévenir les abordages.

Denmark.

(Translation.)

We, Christian IX, &c., order that the following Rules for preventing collisions be observed by masters of steam-ships and sailing-ships:—

* * * * * *

Royal Order, 18th February, 1887.

France.

Le Président de la République Française décrète:—

Article 1er. A dater du 1er Septembre, 1884, les bâtiments de la Marine Nationale, ainsi que les navires du commerce Français, ont à se conformer au Règlement ayant pour objet de prévenir les abordages, annexé au présent Décret.

Germany.

(*No.* 1355.) *Verordnung zur Verhütung des Zusammenstossens der Schiffe auf See. Vom 7. Januar* 1880.

Wir, Wilhelm, von Gottes Gnaden Deutscher Kaiser, König von Preussen, &c.,

Verordnen im Namen des Reichs, auf Grund des § 145 des Strafgesetsbuchs (Reichs-Gesetsbl. 1876 S. 40) zur Verhütung des Zusammenstossens der Schiffe auf See, unter Aufhebung der Verordnung vom 23. Dezember 1871 (Reichs-Gesetsbl. S. 475), was folgt:

Jeder Schiffsführer hat auf See und auf den mit der See im Zusammenhange stehenden, von Seeschiffen befahrenen Gewässern die nachstehenden Vorschriften zu befolgen, auch dafür zu sorgen, dass die zur Ausführung derselben erforderlichen Signalapparate vollständig und in brauchbarem Zustande auf seinem Schiffe vorhanden sind.

Japan.

Notification No. 35 of Daijkwan, 16th day, 7th month, 13th year of Meiji, 1880.

The following Regulations for Prevention of Collisions at Sea shall come into operation on and after the 1st day of the 9th month of the present year, and the existing Regulations (Notification No. 5 of Daijkwan, of the 7th year of Meiji, 1874), shall be, on and after that date, hereby annulled :—

* * * * * *

(Signed) Tarnheto Sheimo Sa Daijon.

Norway.

(Translation.)

Regulations for Preventing Collisions between Vessels.—Royal Order, 28th January 1885.

On board all Norwegian vessels the following Rules for Preventing Collisions shall be observed :—

* * * * * *

Siam.

Rules and Regulations for Steam-ships and Sailing-vessels.

Chow Prayah Bhanuwmgse Mahah Kosa Tibodee t'ee Praklang, Minister for Foreign Affairs, having received a command from His Majesty the King of Siam, that inasmuch as Siamese steam-ships and sailing-vessels trading to foreign ports, and foreign vessels which come for purposes of trade to Bangkok and the coast of Siam, are much more numerous than formerly, and inasmuch as accidents, from collisions between such steam-ships and sailing-vessels, sometimes occur at sea in Siamese waters and in the rivers, giving rise to law-suits difficult of decision, for the reason that there are as yet no laws for large steam-ships and sailing-vessels ; therefore His Majesty has thought fit that Regulations should be made, supplementary to the Harbour Laws, in order that when law-suits shall arise they may be decided with ease. It has pleased His Majesty, therefore, to command that a Code of Laws be enacted like the Rules in force in Europe, which may be used by Siamese and European vessels.

Great Britain—

Article 1. In the following Rules every steam-ship which is under sail and not under steam is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam.

United States—
Identical.

France—
Identical.

Austria-Hungary—
Identical.

Germany—
Identical.

Belgium—
Identical.

Italy—
Identical.

Chile—
Identical.

Japan—
Identical.

Denmark—
Identical.

Mexico—
Identical.

Norway—
Identical, only instead of "steam-ship," substitute the words "steam-vessel" ("Dampfartoi"), and instead of "sailing-ship," the words "sailing-vessel" ("Seilfartoi").

SIAM—
Identical.

SWEDEN—
Identical, only instead of "steam-ship," substitute the words "steam-vessel" ("Angfartyg"), and instead of "sailing-ship," the words "sailing-vessel" ("Segelfartyg").

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 2. The lights mentioned in the following Articles, numbered three, four, five, six, seven, eight, nine, ten, and eleven, and no others, shall be carried in all weathers, from sunset to sunrise.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical, with the exception of the words "nine, ten, and eleven," for which the words "nine and ten" are substituted.

BELGIUM—
Identical, with the exception of the words "and no others," for which the following paragraph is substituted:—
"Aucun autre feu ne pourra paraître à l'extérieur du navire."

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical, with the exception of the words "and no others," for which the following paragraph is substituted:—
"Aucun autre feu ne devra paraître à l'extérieur du navire."

GERMANY—
Identical, with the exception that the words "numbered" to "11," inclusive are omitted.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical, with the exception that the words "numbered" to "11," inclusive are omitted.

NORWAY—
Identical.

SWEDEN—
Identical.

SIAM—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 3. A sea-going steam-ship, when under way, shall carry—

(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

(*b.*) On the starboard side a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*c.*) On the port side a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Identical, with the following exceptions:

1. The word "sea-going," in line 1, is omitted.
2. Sub-section (*a*). Substitute for the words "20 feet" "6 metres," and in sub-section (*d*), for the words "3 feet" "90 centim."

BELGIUM—

Identical, with the following exceptions:

1. Sub-sections (*a*) and (*d*). Substitute for the words "20 feet" and "3 feet" the words "6 metres" and "91 centim." respectively; and
2. Sub-sections (*a*), (*b*), and (*c*). Substitute for the words, "with a clear atmosphere," the words "sans brume, pluie, brouillard, ou neige."

CHILE—

Identical, with the following exceptions:

1. Sub-section (*a*). Instead of the words, "on or in front of the foremast" to the words "such breadth," inclusive, substitute the words (translation), "on the top of the foremast, or at least at the same height and in front of it."
2. Sub-section (*d*). Instead of the words "3 feet," substitute the words "90 centim."

DENMARK—

Identical, with the following exception:

In line 1, omit the word "sea-going."

FRANCE—

Identical, with the following exception:

Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "91 centim." respectively.

GERMANY—

Identical, with the following exceptions:

1. In line 1 the word "sea-going" is omitted.
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "91 centim." respectively.

ITALY—
Identical, with the following exceptions:
1. In line 1 the word "sea-going" is omitted.
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "90 centim." respectively.

JAPAN—
Identical.

MEXICO—
Identical, with the following exceptions:
1. In line 1 the word "sea-going" is omitted.
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "90 centim." respectively.

NORWAY—
Identical, with the following exceptions:
1. In line 1, instead of the words "a sea-going steam-ship," substitute "a steam-vessel."
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "92 centim." respectively.

SIAM—
Identical.

SWEDEN—
Identical, with the following exceptions:
1. In line 1, instead of the words "a sea-going steam-ship," substitute "a steam-vessel."
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "91 centim." respectively.

THE NETHERLANDS—
Identical, with the following exceptions:
1. In line 1, instead of the words "a sea-going steam-ship when under way," substitute the words "een zeestoomschip onder stoom."
2. Sub-sections (*a*) and (*d*). Instead of the words "20 feet" and "3 feet," substitute the words "6 metres" and "9 decim." respectively.

GREAT BRITAIN—
Article 4. A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam-ships are required to carry.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical, with the following exception:
Instead of the words "3 feet," substitute the words "1 metre."

BELGIUM—
Identical, with the following exception:
Instead of the words "3 feet," substitute the words "91 centim."

CHILE—
Identical, with the following exception:
Instead of the words "3 feet," substitute the words "90 centim."

DENMARK—
Identical.

FRANCE—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "91 centim."

GERMANY—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "1 metre."

ITALY—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "1 metre."

JAPAN—
Identical.

MEXICO—
Identical, with the exception that the words "not less than 3 feet apart" are omitted.

NORWAY—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "1 metre."

SIAM—
Identical.

SWEDEN—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "1 metre."

THE NETHERLANDS—
Identical, with the following exception :
Instead of the words "3 feet," substitute the words "9 decim."

GREAT BRITAIN—
Article 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry, in a vertical line, one over the other, not less than 3 feet apart, in front of, but not lower than, her fore-mast-head, three black balls or shapes, each 2 feet in diameter.

(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, over one another, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character that the red lights shall be visible at the same distance as the white light. By day she shall carry, in a vertical line, one over the other, not less than 6 feet apart, in front of, but not lower than, her fore-mast-head, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The ships referred to in this Article, when not making any way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other ships as signals that the ship showing them is not under command, and cannot, therefore, get out of the way. The signals to be made by ships in distress and requiring assistance are contained in Article 27.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

(Translation.)

A ship, whether a steam-ship or a sailing-ship, employed in laying or picking up a telegraph cable, and also a ship which, from any accident, is not under command, shall by day carry in front of, but not lower than, her foremast-head, three dark balls or other signal shapes, not less than 65 centim. in diameter, in a vertical line, one over the other, not less than 1 metre apart.

Such ships shall, at night, carry in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 25 centim. in diameter, in a vertical line, one over the other, not less than 1 metre apart.

These signal shapes and lights are to be taken by other ships as signals that the ship showing them is not under command, and cannot, therefore, get out of the way.

The aforesaid ships, when not making any way, shall not carry the side-lights, but when making way shall carry them.

BELGIUM—

Tout navire à voiles ou à vapeur employé, soit à poser, soit à relever un câble télégraphique, tout navire qui, par une cause accidentelle, n'est pas libre de ses mouvements, doit, si c'est le jour, porter en avant de la tête du mât de misaine, et pas plus bas que cette tête de mât, trois boules noires de 61 centim. de diamètre chacune, placées verticalement l'une au-dessus de l'autre à une distance d'au moins 91 centim. ; si c'est pendant la nuit, il doit mettre à la place assignée au feu blanc brillant que les bâtiments à vapeur sont tenus d'avoir en avant du mât de misaine, trois feux rouges placés dans les lanternes sphériques d'au moins 25 centim. de diamètre, et disposées verticalement à une distance l'une de l'autre d'au moins 91 centim.

Ces boules ou ces lanternes servent à avertir les autres navires qui approchent que celui qui les porte n'est pas manœuvrable et par suite ne peut se garer.

Les navires ci-dessus ne doivent pas avoir les feux de côté allumés lorsqu'ils n'ont aucun sillage. Ils doivent, au contraire, les tenir allumés s'ils sont en marche soit à la voile, soit à la vapeur.

CHILE—

(Translation.)

The signals indicated in this Article are special signals, and are only carried by the ships which are defined as follows :—

1. The steamers employed in laying or taking up submarine telegraph cables.
2. The steamers which, from any accident, are not under command.

These ships shall carry by day, in front of the foremast, at a height not exceeding the top of the foremast, three globular shapes of black colour, each 60 centim. in diameter, in a vertical line, and not less than 90 centim. apart.

At night the same vessels shall, instead of the mast-head light, carry three red lights in globular lanterns, each not less than 25 centim. in diameter, in a vertical line, and not less than 90 centim. apart.

The aforesaid shapes and lights indicate that the ships showing them are not under command and cannot manœuvre.

The ships referred to in this Article, when not making any way through the water, shall not carry any side-lights, but when making way shall carry them.

DENMARK—

Identical, with the following exception :

Sub-section (*d*). The words beginning, "The signals," to the end of the sub-section, are omitted.

FRANCE—

Identical, with the following exceptions :—

Sub-sections (*a*) and (*b*). Instead of the words "10 inches," substitute the words "25 centim.;" and instead of the words "2 feet," substitute the words "61 centim."

Sub-section (*a*). Instead of the words "3 feet," substitute the words "91 centim."
Sub-section (*b*). Instead of the words "6 feet," substitute the words "1 metre 82 centim."
Sub-section (*a*). After the words "three black balls," the words "or shapes" are omitted.

GERMANY—

(Translation.)

A ship, whether a steam-ship or a sailing-ship, employed in laying or picking up a telegraph cable, and also a ship which, from any accident, is not under command, shall by day carry in front of, but not lower than, her foremast-head, three dark balls, or other signal shapes, of 65 centim. in diameter, in a vertical line, one over the other, not less than 1 metre apart.

Such ships shall, at night, carry in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 25 centim. in diameter, in a vertical line, one over the other, not less than 1 metre apart.

These signal shapes and lights are to be taken by other ships as signals that the ship showing them is not under command, and cannot, therefore, get out of the way.

The aforesaid ships, when not making any way, shall not carry the side-lights, but when making way shall carry them.

ITALY—

Identical, with the following exceptions:
Sub-sections (*a*) and (*b*). Instead of the words "25 centim.," and instead of the words "2 feet," substitute the words "65 centim."
Sub-section (*a*). Instead of the words "3 feet," substitute the words "1 metre."
Sub-section (*b*). Instead of the words "6 feet," substitute the words "1 metre."

JAPAN—

Identical.

MEXICO—

This Article is omitted entirely. See note at the end.

NORWAY—

Identical, with the following exceptions:
Sub-sections (*a*) and (*b*). Instead of the words "10 inches," substitute the words "25 centim.;" and instead of the words "2 feet," substitute the words "60 centim."
Sub-section (*a*). Instead of the words "3 feet," substitute the words "1 metre."
Sub-section (*b*). Instead of the words "6 feet," substitute the words "1 metre 80 centim."

SIAM—

Omitted. See note at end.

SWEDEN—

Identical, with the following exceptions:
Sub-sections (*a*) and (*b*). Instead of the words "10 inches," substitute the words "25 centim.;" and instead of the words "2 feet," substitute the words "60 centim."
Sub-section (*a*). Instead of the words "3 feet," substitute the words "1 metre."
Sub-section (*b*). Instead of the words "6 feet," substitute the words "1 metre 80 centim."

THE NETHERLANDS—

Identical, with the following exceptions:
Sub-sections (*a*) and (*b*). Instead of the words "10 inches," substitute the words "$2\frac{1}{2}$ decim.;" and instead of the words "2 feet," substitute the words "6 decim."
Sub-section (*a*). Instead of the words "3 feet," substitute the words "9 decim."

Sub-section (*b*). Instead of the words "6 feet," substitute the words "1 metre 8 decim."

Sub-section (*d*). Instead of the words "contained in Article 27," substitute the words "contained in our Decree of October 10, 1875."

GREAT BRITAIN—

Article 6. A sailing-ship under way or being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 7. Whenever, as in the case of small vessels during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side. To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 8. A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light, visible all round the horizon at a distance of at least 1 mile.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

BELGIUM—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres." Instead of the words "8 inches," substitute the words "20 centim."

N.B.—The words "when at anchor" are translated "lorsqu'il est au mouillage."

CHILE—

Identical, with the following exceptions:

1. Instead of the words "when at anchor," substitute the words "when at anchor in a roadstead, channel, or fairway."
2. Instead of the words "20 feet," substitute the words "6 metres."
3. The words "in a globular lantern of not less than 8 inches in diameter" are omitted.

DENMARK—

Identical.

FRANCE—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

N.B.—The words "when at anchor" are translated "lorsqu'il est au mouillage."

GERMANY—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

ITALY—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

JAPAN—

Identical.

MEXICO—

See note at the end.

NORWAY—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

SIAM—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

SWEDEN—

Identical, with the following exceptions :—

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

THE NETHERLANDS—

Identical, with the following exceptions:

Instead of the words "20 feet," substitute the words "6 metres;" and instead of the words "8 inches," substitute the words "20 centim."

GREAT BRITAIN—

Article 9. A pilot-vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or a flare-up lights at short intervals, which shall never exceed fifteen minutes. A pilot-vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Identical.

BELGIUM—

Identical.

DENMARK—

Identical, with the following exceptions:

In the last paragraph, instead of the words "a pilot vessel" down to the words "other ships," inclusive, substitute the following words:

(Translation.)

Open pilot-vessels, however, are not required to carry the light at the mast-head, but, on approaching another ship, or being approached by another ship, they shall show it in time to prevent a collision. A pilot-vessel, when not engaged on her station on pilotage duty, shall, if decked, carry lights similar to those of other vessels; and, if open, carry lights similar to those of other open boats.

FRANCE—

Identical.

GERMANY—

Identical.

ITALY—

Identical, with the exception that the pilotage station is not specially mentioned in the first paragraph.

JAPAN—

Identical.

MEXICO—

See note at the end.

NORWAY—

As now altered by Royal Order, 23rd April, 1887.

(Translation.)

A pilot-vessel, when on pilotage duty, shall not carry the lights required for other vessels, but shall at least every fifteen minutes show one or more flare-up lights, and, besides, have at hand a lantern lit ready for use, of such a character as to show a clear white light all round the horizon, which, on approaching to or being approached by other vessels, shall be exhibited in sufficient time to prevent collision.

A pilot-vessel, when not on pilotage duty, shall, if a decked vessel, carry lights similar to those of other vessels, and if an open boat, similar to those of open boats.

SIAM—
See note at the end.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 10. Open boats and fishing-vessels of less than 20 tons net registered tonnage, when under way and not when having their nets, trawls, dredges, or lines in the water, shall not be obliged to carry the coloured side-lights; but every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on the one side, and a red glass on the other side, and on approaching to or being approached by another vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

The following portion of this Article applies only to fishing-vessels and boats when in the sea off the coast of Europe lying north of Cape Finisterre:

(*a.*) All fishing-vessels and fishing-boats of 20 tons net registered tonnage or upward, when under way and when not having their nets, trawls, dredges, or lines in the water, shall carry and show the same lights as other vessels under way.

(*b.*) All vessels when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel of the vessel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character and contained in lanterns of such construction as to show all round the horizon, on a dark night, with a clear atmosphere, for a distance of not less than 3 miles.

(*c.*) All vessels when trawling, dredging, or fishing with any kind of drag-nets shall exhibit, from some part of the vessel where they can be best seen, two lights. One of these lights shall be red, and the other shall be white. The red light shall be above the white light, and shall be at a vertical distance from it of not less than 6 feet and not more than 12 feet; and the horizontal distance between them, if any, shall not be more than 10 feet. These two lights shall be of such a character and contained in lanterns of such construction as to be visible all round the horizon, on a dark night, with a clear atmosphere, the white light to a distance of not less than 3 miles, and the red light of not less than 2 miles.

(*d.*) A vessel employed in line-fishing, with her lines out, shall carry the same lights as a vessel when engaged in fishing with drift-nets.

(*e.*) If a vessel, when fishing with a trawl, dredge, or any kind of drag-net, becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

(*f.*) Fishing-vessels and open boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling, dredging, or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that if the vessel is hanging by the stern to her trawl, dredge, or drag-net they shall be exhibited from the bow.

(*g.*) Every fishing-vessel and every open boat when at anchor between sunset and sunrise shall exhibit a white light, visible all round the horizon, at a distance of at least 1 mile.

(*h.*) In a fog a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of a drag-net, and a vessel employed in line-fishing with her lines out, shall, at intervals of not more than two minutes, make a blast with her fog-horn and ring her bell alternately.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Open fishing-vessels, and other open boats are not required to carry side-lights like other ships, but, if they are not in possession of such lights, they shall carry a lantern with a green glass on the one side, and a red glass on the other side. On approaching to or being approached by another ship, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

These vessels, if at anchor, or fast to their nets, and therefore not making way through the water, shall show a bright white light. They are allowed besides, if they think it advisable, to show flare-up lights from time to time.

BELGIUM—

(*a.*) Les bateaux de pêche non pontés et tout autres bateaux non pontés ne sont pas forcés, lorsqu'ils sont en marche, de porter les feux de côte obligatoires pour les autres navires; mais s'ils ne les ont pas, ils doivent avoir à la place une lanterne toute prête et munie sur un des côtes d'un verre vert, et sur l'autre d'un verre rouge, et s'ils approchent d'un navire ou s'ils en voient approcher un, ils doivent montrer la lanterne assez à temps pour éviter un abordage, en la tenant de manière que la lumière verte ne soit vue qu'à tribord et la lumière rouge à bâbord.

(*b.*) Tout bâtiment de pêche ou tout bateau non ponté doit montrer un feu blanc brillant quand il est au mouillage.

(*c.*) Tout bâtiment de pêche occupé à la pêche au filets trainants portera à l'un de ses mâts deux feux rouges placés verticalement l'un au-dessus de l'autre, à une distance d'au moins 91 centim.

(*d.*) Tout bateau pêchant à la drague portera à l'un de ses mâts deux feux placés verticalement à la distance d'au moins 91 centim. l'un au-dessus de l'autre, le feu supérieur étant rouge et le feu inférieur vert; en outre, il aura les deux feux de côté réglementaires pour les autres bâtiments, ou, s'il ne peut pas les porter, il aura tout prêts et à la main les feux colorés prévus par l'Article 7, ou enfin une lanterne avec un verre rouge et un verre vert comme il est dit au paragraphe (*a*) de cet Article 10.

(*e.*) Les bâtiments de pêche, ainsi que les bateaux non pontés, pourront, en outre, s'ils le désirent, se servir d'un feu à éclats alternativement montré et caché.

(*f.*) Tous les feux exigés par cet Article, à l'exception des feux de côté, doivent être contenus dans des lanternes sphériques, de manière que la lumière soit visible sans interruption sur tout l'horizon.

CHILE—

(*a.*) Open fishing-boats and other open boats are not required to carry the side-lights prescribed for other vessels, but, if they do not carry such lights, they shall use a lantern with a green glass on the one side, and a red glass on the other side, so that, on approaching to or being approached by another vessel, they may exhibit a light in sufficient time to prevent a collision, taking care always that the green light cannot be seen on the port side nor the red light on the starboard side.

(*b.*) Fishing-boats or other open boats, when at anchor, shall carry a white light.

(*c.*) Boats fishing with drift-nets or floating-nets shall carry two coloured lights in a vertical line, and 90 centim. apart.

(*d.*) Vessels engaged in fishing with ground-nets or drag-nets shall carry at one of their masts two lights in a vertical line, the upper red, and the lower green. Besides these, they shall be provided with the side-lights, or, in case they have no side-lights, with the lights prescribed by Article 7, and if they have no such lights, they shall use the light referred to in sub-section (*a*) of this Article.

(*e.*) The vessels referred to in this Article may use an additional white light, and exhibit the same at intervals as often as necessary.

DENMARK—

(Translation.)

Open fishing-boats, as well as other open boats, whether under sail or rowing, are not required to carry the side-lights prescribed for other vessels; but, if they do not

carry them, they shall, instead of them, have ready at hand a lantern with a green glass on the one side, and a red glass on the other side. The lantern shall be exhibited in time to prevent a collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

All sorts of fishing-boats, as well as open boats, when engaged in fishing, or when lying at anchor, shall show a clear white light from sunset to sunrise, from any part of the vessel where it can best be seen, visible all round the horizon, at a distance of at least 1 mile. These vessels may also, if they think it advisable, show flare-up lights, from time to time. Vessels engaged in fishing with trawls, ground-nets, or any sort of drag-nets, shall, in such a case, show red flare-up lights. In thick weather the aforesaid vessels shall indicate their presence by blowing their fog-horn at least every two minutes. Sailing fishing-boats, as well as other sailing or rowing boats, of 4 tons net register or less, are not required to show the aforesaid lights.

FRANCE—

Identical, with the following exceptions:

Sub-section *b*. Instead of the words "6 feet," "10 feet," and "5 feet," substitute the words "1 metre 80 centim.," "3 metres" and "1 metre 50 centim." respectively.

GERMANY—

(Translation.)

Open fishing-boats and other open boats are only required to show a bright white light. In addition they may use a flare-up light.

ITALY—

Identical from the beginning of the Article down to the words "on the starboard side," inclusive.

Instead of the words beginning "The following portion" down to the end of the Article, substitute the following:

(Translation.)

Fishing-boats and open boats, when at anchor, shall from sunset to sunrise exhibit a white light visible all round the horizon at a distance of at least 1 mile.

Fishing-boats having their nets in the water shall, in addition to the aforesaid lights, show another white light, at short intervals, at a place where it cannot be mistaken for the light prescribed for pilot-vessels in Article 9. In fog every fishing-boat which has its nets or lines in the water shall, at intervals of not less than two minutes, blow the fog-horn or ring the bell alternately.

JAPAN—

Open fishing-boats and other open boats shall not be required to carry the side-lights required for other vessels; but shall, if they do not carry such lights, carry a lantern having a green slide on the one side, and a red slide on the other side; and on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

Fishing-vessels and open boats, when at anchor or attached to their nets, shall exhibit a bright white light.

Fishing-vessels and open boats shall use a flare-up if considered expedient. They shall not be prevented from using a fog-horn by day or night.

MEXICO—

(Translation.)

Open fishing-boats and other open boats are not required to carry the side-lights prescribed for other vessels; but, if they do not carry such lights, they shall use a lantern with a green glass on the one side, and a red glass on the other side, so that, on approaching a vessel, they may exhibit this light in time to prevent a collision, taking care always that the green light shall not be seen on the port side, nor the red light on the starboard side.

Open fishing-boats and other open boats, when at anchor, or when engaged in fishing, and not making way through the water, shall exhibit a white light.

These boats may, if they think it advisable, show an additional light at short intervals.

NORWAY—

Identical, with the following exceptions:

1. Sub-section (*b*). Instead of the words "6 feet," "10 feet," and "5 feet," substitute the words "1 metre 80 centim.," "3 metres," and "1 metre 50 centim.," respectively.
2. A note is added as follows:

(Translation.)

Rules (*b*), (*c*), (*d*), and (*g*) do not apply to open boats. As regards open fishing-boats and other open boats, whether under sail or propelled by oars, in Norwegian inland waters connected with the sea, see section 28.

Section 28 is as follows:

(Translation.)

Open fishing-boats and other open boats, whether under sail or propelled by oars, in Norwegian inland waters connected with the sea, are not required to show any signal. They shall, however, show due attention, and shall take every precaution to prevent a collision.

SIAM—

Open fishing-boats and other open boats shall not be required to carry the side-lights required for other vessels, but shall, if they do not carry such lights, carry a lantern having a green slide on the one side, and a red slide on the other side, and on the approach of or to other vessels such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

Fishing-vessels and open boats, when at anchor, or attached to their nets and stationary, shall exhibit a bright white light.

Fishing-vessels and open boats shall, however, not be prevented from using a flare-up in addition, if considered expedient.

SWEDEN—

Identical, with the following exceptions:

Sub-section (*b*.) Instead of the words "6 feet," "5 feet," and "10 feet," insert the words "1 metre 80 centim.," "1 metre 50 centim.," and "3 metres," respectively.

THE NETHERLANDS—

(Translation.)

Open boats, whether fishing-vessels or others, are not required to carry the side-lights required by sea-going ships, but if they do not carry these lights they must be provided with a lantern with a green glass on the one side, and a red glass on the other side. This lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side. Fishing-vessels and open boats, when lying at anchor or attached to their nets, shall exhibit a bright white light. In addition they may, from time to time, show a flare-up light, if they think it advisable.

GREAT BRITAIN—

Article 11. A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

UNITED STATES—
Identical.

BELGIUM—
Identical.

AUSTRIA-HUNGARY—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
See note at end.

NORWAY—
Identical.

SIAM—
See note at end.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 12. A steam-ship shall be provided with a steam-whistle or other efficient steam-sound signals, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn, to be sounded by a bellows or other mechanical means. and also with an efficient bell. A sailing-ship shall be provided with a similar fog-horn and bell.

In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say :

(*a.*) A steam-ship under way shall make with her steam-whistle or other steam-sound signal, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*c.*) A steam-ship and a sailing-ship when not under way shall, at intervals of not more than two minutes, ring the bell.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical, with the following exception :
The words in the first paragraph, "a sailing-ship shall be provided with a similar fog-horn and bell," are omitted.

DENMARK—
Identical, with the following exception :
The words (translation), "sailing and rowing-vessels of 4 tons net register, or less, are not required to make the aoresaid sound-signals," are added at the end of the Article.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
See note at end.

NORWAY—
Identical.

SIAM—
See note at end.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Identical.

BELGIUM—

Identical.

CHILE—

Identical, with the following exception :

Instead of the words, "go at a moderate speed," substitute the words (translation), "slacken her speed."

DENMARK—

Identical.

FRANCE—

Identical.

GERMANY—

Identical.

ITALY—

Identical.

JAPAN—

Identical.

MEXICO—

See note at end.

NORWAY—

Identical.

SIAM—

See note at end.

SWEDEN—

Identical.

THE NETHERLANDS—

Identical.

GREAT BRITAIN—

Article 14. When two sailing-ships are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, namely :

(*a.*) A ship which is running free shall keep out of the way of a ship which is close-hauled.

(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

(*e.*) A ship which has the wind aft shall keep out of the way of the other ship.

UNITED STATES—

Identical.

AUSTRIA-HUNGARY—

Identical.

BELGIUM—

Identical.

CHILE—

Identical.

DENMARK—

Identical.

FRANCE—

Identical.

GERMANY—

Identical.

ITALY—

Identical

JAPAN—

Identical.

MEXICO—

See note at end.

NORWAY—
Identical.

SWEDEN—
Identical.

SIAM—
See note at end.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 15. If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Article only applies to cases where ships are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other. The only cases to which it does apply are when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which by day each ship sees the masts of the other in a line, or nearly in a line, with her own, and by night to cases in which each ship is in such a position as to see both the side-lights of the other. It does not apply by day to cases in which a ship sees another ahead crossing her own course, or by night to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical, with the following exceptions:
Instead of the words, "the only cases to which it does apply," down to the end of the Article, substitute the following:

(Translation.)
It is to be understood that ships are "end on," or "nearly end on," if, by day, one ship sees the masts of the other in a line with her, or less than $2\frac{1}{2}$ points out of that line; and, by night, if one ship is in such a position as to divide the two side lights of the other ship by her stem.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical, with the following exception:
The words commencing, "This Article only applies to cases where ships are meeting end on," down to the end of the Article, are omitted.

JAPAN—
Identical.

MEXICO—
Identical, with the following exception:
The words commencing, "This Article only applies to cases where ships are meeting end on," down to the end of the Article, are omitted.

NORWAY—
Identical.

SIAM—
Identical (see Article 20 of the Siamese Rules).

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 16. If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 17. If two ships, one of which is a sailing-ship and the other a steam-ship, are proceeding in such directions as to involve risk of collision, the steam-ship shall keep out of the way of the sailing-ship.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 18. Every steam-ship when approaching another ship, so as to involve risk of collision, shall slacken her speed, or stop and reverse, if necessary.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical, with the following exception:
Instead of the words, "shall slacken her speed, or stop and reverse, if necessary," substitute the words (translation), "shall slacken her speed, or, if necessary, stop and reverse."

BELGIUM—
Identical, with the following exception:
Instead of the words, "shall slacken her speed, or stop and reverse, if necessary," substitute the words, "doit diminuer de vitesse, ou stopper et même marcher en arrière, si cela est nécessaire."

CHILE—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words (translation), "shall slacken her speed, and, if necessary, stop and reverse."

DENMARK—
Identical.

FRANCE—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words, "doit diminuer de vitesse, ou stopper et même marcher en arrière, si cela est nécessaire."

GERMANY—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words (translation), "shall slacken her speed, or, if necessary, stop and reverse."

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
See note at end.

NORWAY—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words (translation), "shall slacken her speed, or if necessary, stop and reverse."

SIAM—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words, "shall slacken her speed, or, if necessary, stop and reverse."

SWEDEN—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words (translation), "shall slacken her speed, or, if necessary, stop and reverse."

THE NETHERLANDS—
Identical, with the following exception:
Instead of the words, "shall slacken her speed," &c., substitute the words (translation), "shall slacken her speed, or, if necessary, stop and reverse."

GREAT BRITAIN—
Article 19. In taking any course authorized or required by these Regulations, a steamship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, namely:
One short blast to mean, "I am directing my course to starboard."
Two short blasts to mean, "I am directing my course to port."
Three short blasts to mean, "I am going full speed astern."
The use of these signals is optional, but if they are used the course of the ship must be in accordance with the signal made.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
This Article is identical in meaning, although not in form, with that of Great Britain.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical, with the following exception:
Omit the words in the last paragraph, "but if they are used" to the end of the Article.

JAPAN—
Identical.

MEXICO—
See note at end.

NORWAY—
Identical.

SIAM—
See note at end.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 20. Notwithstanding anything contained in any preceding Article, every ship, whether a sailing-ship or a steam-ship, overtaking any other shall keep out of the way of the overtaken ship.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
This article intended to be identical with that of Great Britain, but the word "notwithstanding" is translated by "unbeschadet" instead of by "ohne rucksicht auf" (the word used by Germany in the same Article).

BELGIUM—
Identical.

CHILE—
This Article is as follows:
(Translation.) "Every ship overtaking any other shall keep out of the way of the latter."

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 21. In narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
See note at end.

NORWAY—
Identical

SIAM—
See note at end.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 22. Where by the above Rules one of two ships is to keep out of the way, the other shall keep her course.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Probably intended to be identical

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 23. In obeying and construing these Rules, due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 24. Nothing in these Rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
Identical.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
Identical.

NORWAY—
Identical.

SIAM—
Identical.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—
Article 25. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical.

BELGIUM—
Identical.

CHILE—
This Article omitted.

DENMARK—
Identical.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
Identical.

JAPAN—
Identical.

MEXICO—
This Article omitted.

SIAM—
This Article omitted; but see preamble to the Siamese Rules.

SWEDEN—
Identical

THE NETHERLANDS—
Identical.

NORWAY—
Identical.

GREAT BRITAIN—
Article 26. Nothing in these Rules shall interfere with the operation of any special Rules, made by the Government of any nation, with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—
Identical, except that the word "additional," before the words "station and signal lights," is omitted.

BELGIUM—
Identical.

CHILE—
This Article is omitted.

DENMARK—
Identical, except that the word "additional," before the words "station and signal lights," is omitted.

FRANCE—
Identical.

GERMANY—
Identical.

ITALY—
This Article omitted.

JAPAN—
Identical.

MEXICO—
This Article omitted.

NORWAY—
Identical.

SIAM—
This Article omitted.

SWEDEN—
Identical.

THE NETHERLANDS—
Identical.

GREAT BRITAIN—

Article 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:

In the daytime—

1. A gun fired at intervals of about a minute.
2. The International Code signal of distress indicated by N C.
3. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

At night—

1. A gun fired at intervals of about a minute.
2. Flames on the ship (as from a burning tar-barrel, oil-barrel, and so forth).
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals.

UNITED STATES—
Identical.

AUSTRIA-HUNGARY—*

BELGIUM—*

GERMANY—
Identical. Given by the Imperial Decree of the 14th August, 1876.

ITALY—*

JAPAN—
Identical.

MEXICO—*

THE NETHERLANDS—
Identical. Given by the Royal Order of the 10th October, 1875.

CHILE—*

DENMARK—*

FRANCE—
Identical.

NORWAY—
Identical.

SIAM—*

SWEDEN—
Identical.

Note.—In the case of Mexico and Siam the Rules furnished to the Conference are dated prior to 1884, and it is not known whether these countries have adopted the changes introduced in 1884, and subsequently, into the Rules of other countries. It has, therefore, not always been possible, in the case of Mexico and Siam, to apply the same method of comparison with the Rules of Great Britain as has been applied with regard to other countries.

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* Some Powers have not considered this Article, which provides signals for ships in distress, as proper to be inserted in Regulations for preventing collisions at sea, and have therefore omitted it.

Inclosure 4 in No. 139.

Report of the Committee on Lights.

[Accompanied by three Plates and an Appendix.]

Sir, *Washington, November* 4, 1889.

THE Committee on Lights, pursuant to the Resolution adopted by the Marine Conference on the 17th ultimo, instructing the said Committee to examine and report on the literature on lights in possession of this Conference, have agreed upon a Report, which they have the honour to respectfully submit.

The literature submitted to the consideration of the Conference consists of papers, most of which offer certain distinct proposals. All these bear witness of the great interest the work of the Conference has excited, and a number of them show evident marks of the deep thought and great ingenuity brought to bear on the subject by the authors. Nevertheless, the Committee have not thought it advisable to single out any special system for adoption, but content themselves with reporting, in general terms, upon such as are typical of their class. The Committee, however, take this opportunity to express their sense of appreciation of the interest taken in the work, the sincerity of effort, and the ingenuity of which nearly every proposal bears evidence.

Before entering into a more detailed discussion of the proposals submitted to the Conference regarding lights, the Committee feel it their duty to say that it is absolutely necessary to be as conservative in regard to the existing Rules concerning lights as possible. It has to be borne in mind that these Rules, after being nearly 40 years in force, have become as familiar to every seaman as if they were cast in iron letters and so impressed on their minds. Every change, therefore, has to be considered most seriously before its adoption, and this should be done only when considered absolutely necessary. Otherwise, such an adoption may lead to confusion, and this, probably, would beget serious danger to life and property at sea, for the better protection of which this Conference is assembled.

Bearing this in mind, the Committee beg leave to state that, although they have no direct evidence of the insufficiency of the present system of lights, they nevertheless are of the opinion that the Regulations actually in force are insufficient to make the presence of a sailing-vessel known to a fast steamer approaching her soon enough to give the latter ample time to keep out of the way.

For, if a steam-vessel has to keep out of the way of a sailing-vessel, then it is clearly the duty of the latter to make her presence known soon enough to make it possible for the steam-vessel to comply with the Regulations.

In this respect the side-lights at present shown by sailing-vessels (Articles 6 and 7) and the white or the flare-up lights exhibited astern (Article 11) are not satisfactory. It is considered, therefore, desirable that some plan be found by which the presence of a sailing-vessel should be indicated at a greater distance than under the present Regulations.

The proposals which have been submitted to the consideration of this Committee aim to supply this want:—

(*A.*) By introducing a white light to be carried a considerable distance above the side-lights and to be visible at a greater distance than these, say 4 or 5 miles.

(*B.*) By increasing the power of the side-lights.

Both these systems would increase the cost of fitting out vessels—a matter worth consideration.

(*A.*) The introduction of a white light, such is as carried by steamers under way, according to the present Rules, would, in the opinion of the Committee, indicate the whereabouts of a sailing-vessel in a simple and efficient way, and at such a distance that even the fastest steamers would have ample time for manœuvring in order to keep clear.

But the white light on sailing-vessels would complicate the system of carrying lights on all classes of ships, since it would, as a matter of course, necessitate an increased number of lights to be carried by steamers also.

The adoption of such a light would moreover give to a sailing-vessel in the future the same system of lights carried at present by a steam-vessel. This would bring about a radical change in the Regulations, which should, if possible, be avoided.

The Committee is fully aware also of the difficulty of placing a white light on board of a sailing-vessel in such a manner as never to be obscured by the sails, particularly the head-sails.

There seem to be but the following places in which these lights might be carried:—

1. On the end of the bowsprit.
2. Under the foretop.

3. Under the foretopmast cross-trees.

4. At the truck of a mast.

But none of these positions can be especially recommended to the consideration of the Conference.

(*B.*) It appears very difficult, if at all possible, to increase the power of a ship's side-light from the present range of 2 miles to that of 3, as proposed, without at the same time increasing the size of the lantern in a manner which would make it too cumbersome and expensive for use on board ship, where the conditions are such as to make the construction of lanterns particularly difficult. The range of a light increases only in the ratio of the square root of its power, and it would be necessary to increase the latter in the ratio of 4 to 9 or 1 to 2·25 in order to get the desired range mentioned above.

The Committee had no exact data before them on which they could safely base a more detailed investigation of this important and difficult question, and they therefore took the liberty to suggest that a number of experiments be carried out by the Lighthouse Board of the United States in order to furnish the material necessary for further discussion.

Probably the construction of a more powerful light would necessitate the use of a wick of much larger diameter than that used at present, if not of a second wick, and this addition would again make it much more difficult to screen the lights properly. An electric light, on account of its smaller diameter, could no doubt be more easily arranged in such a manner as to meet the difficulty, but, in the opinion of the Committee, such a light cannot be made compulsory at the present day.

The Committee, therefore, come to the conclusion that though they cannot but consider an increase in the power of the side-lights most desirable, they do not find themselves at the present moment in a position to recommend any means by the adoption of which the desired end could with certainty be obtained. This, however, may, as they hope, result from the experiments now undertaken by the Lighthouse Board of the United States.

Résumé.—The Committee, while fully aware of the great desirability of making the presence of a sailing-vessel known at a greater distance than at present, are unable to recommend any of the systems submitted to their consideration as being free from all reasonable objections.

Much of the uncertainty at present felt on this account could, however, be avoided were the Regulations properly enforced. And since among the papers submitted there are many complaints of the absence of proper lights on board sailing-vessels, they believe that the attention of the different Governments should be called to the necessity of better enforcing the Regulations in the future.

Means proposed to better indicate the Course of a Ship.

Among other proposals submitted to the Conference, those which aim at a better indication of the direction of a ship's keel are the most important. They may be classed as follows:—

(*A.*) Those in which range-lights are made use of, *i.e.*, lights placed at a considerable horizontal distance from each other, and placed in the same vertical plane with the keel.

(*B.*) Those in which two or more side-lights are used on the same side of the ship.

(*C.*) Those in which it is proposed to give to the side-lights a certain relative position in regard to the white mast-head light of a steam-vessel.

(A.)—*Systems in which Range-Lights are made use of.*

Range-lights were proposed a long time ago. They have been in use on board vessels navigating the inland waters of the United States of America for a considerable period, and have been made compulsory for such vessels by the Rules approved by the Secretary of the Treasury, Circular No. 14, of March 1, 1883, Rule 7.

The claim of originality for any of the systems submitted to the Conference can for this reason be entertained only in so far as the original system has been changed in one way or the other.

A list of the systems proposed will be found in Appendix (A).

The Committee regret that they could not report on other proposals regarding such lights, which have been made in different countries during a considerable number of years, and they beg to state that in their opinion a number of these are not inferior to many of the systems under discussion.

The system proposed by Lieutenant F. F. Fletcher, United States' Navy, has been explained to the Committee by Commander Chadwick, United States' Navy, whose "Report on Trials on Running-Lights and Sound-Signals," by the United States' war-vessels "Yorktown," "Despatch," and "Triana," has been officially brought to the notice of the Conference. This Report speaks favourably of that system, and the Committee have selected it, therefore, as a representative one of this class, and one well suited to be commented upon.

This has been done in order to be able to discuss the important question before us more in detail than would have been possible if only general principles were discussed.

The Committee beg to state that the comments made regarding this system may be applied to nearly all other systems proposed, bearing in mind, however, that changes in particulars may influence the result to which we have come, but only in an unimportant degree.

The light system of Lieutenant Fletcher consists in making use of a range of three lights, which have been placed as follows:—

Forward of the foremast, at a distance apart not less than the beam of the ship, two bright white range-lights of the same character as the present masthead-light, visible from ahead to two points abaft the beam on either side. These lights shall be in the vertical plane of the keel, with the lower one so placed forward of the upper one that an imaginary line through them will make an angle of 55 degrees with the vertical. The third light is placed near the stern on the taffrail, and screened so as to throw a light from right astern to two points forward of the beam.

When right ahead of a steam-ship an imaginary line through her two range-lights will appear vertical if the ship be on an even keel.

On the starboard bow of a steam-ship an imaginary line through her two range-lights will appear inclined from the vertical to the right, and on the port bow to the left from the vertical.

When more than four points on the bow of a steam-ship her range-lights will appear inclined more than 45 degrees, and at six points her stern-light is visible.

If we imagine that an observer is stationed at a great distance, and a ship, lighted in the proposed manner, turned around the perpendicular through her middle range-light, then it will be seen that the horizontal distance between the masthead-light and the forward range-light does not increase in the same ratio as the angle between the visual line of the observer and the keel of the ship, but only in the ratio of the sines of this angle. (See Fig. 1, in which the distance of the observer is assumed to be indefinite, and, in consequence, the visual lines parallel to each other.)

By a glance at the accompanying diagram (Fig. 1) it is easily seen that the lights at an angle of six points appear at the same distance as at angle of ten points. The same is true with regard to the angles of seven and nine points, and others which may be symmetrically placed to the line, Ll_8, up to two points of this line.

The horizontal distance at which the two forward range-lights at different angles appear has been calculated, and will be found in the column (*b*) of the following Table for a perpendicular distance between the lights of 21·2 feet, which makes the horizontal distance between the lights for an angle 55 degrees = 30 feet.

(*a*.) If the angle of keel of ship and visual line of observer is—	(*b*.) Then the horizontal distance between two forward range-lights will be—	(*c*.) If $\frac{21 \cdot 2}{4}$ be a unit, and it is assumed that each unit corresponds with one point, then for other points the distance is—	(*d*.) Difference between columns (*b*) and (*c*).
Points.	Feet.		
1	5·9	5·3	— 0·6
2	11·5	10·6	— 0·9
3	16·7	15·9	— 0·8
4	21·2	21·2	+ or — 0·0
5	24·9	..	..
6	27·7	..	..
7	29·4	..	..
8	30·0	..	..
9	29·4	..	..
10	27·7	..	..

We see from column (*b*) that the horizontal distance under which the two range-lights are seen, after the ship has turned four points, has become 21·2 feet, and at this point is equal to the perpendicular distance between the lights; the triangle formed by the horizontal line through the forward range-light, the perpendicular through the foremast-head-light, and the line connecting the lights, has become equilateral, both angles at the connecting line. (Ll_4, Fig. 2, being 45°.)

Now, order a look-out to watch carefully, and give him the following instructions: That when he sees the two white lights, one below the other, the ship which shows them is heading directly for him; that if a plumb line from the masthead-light appears to be separated from the forward light one-quarter of that distance, her course makes an angle of two points; and that if the distance is equal to three-quarters, or equal to the whole of the perpendicular, then that ship's course will be three or four points inclined to his eye-line.

Such instruction may be understood by a sailor and may not. But if he should understand it and is accustomed to judge distances somewhat correctly, he will be able to determine the other ship's course pretty accurately, for, as column (*d*) shows, there is only a small difference between the columns (*b*) and (*c*), and it appears probable that, as Commander Chadwick found to be the case during the trials he made, an ordinary sailor may very well judge by this method whether a ship's course is inclined to his eye-line one, two, three, or four points, without probably making a greater mistake than half a point. (See Report, p. 7, para. 4.)

In Sector B, Fig. 3 (that is, from four to six points), it would become more difficult to judge the course correctly; because here the horizontal alteration of distances between the lights becomes much smaller for the same alteration of the course of the ship, but the error will probably not become more than one point. At six points the after range-light would come in view, but it will probably not be possible to estimate the bearing in the sector (C) more closely than to say that an observer is "abeam" of the other vessel. Errors up to two points may on this account be expected.

Further aft than ten points from right ahead, both the forward range-lights, as well as the side-lights, will be shut in, and by the stern-light alone it will only be possible to say that an observer is within six points on either quarter.

The advantages of Lieutenant Fletcher's system of range-lights, and all others similar to this, consist, therefore, in that it affords the means by which the course of a ship can be found by simple observation and comparison alone by an observer stationed in a sector from right ahead to six points on either side (sectors A and B, Fig. 3) with tolerable accuracy, say within one point, provided, however, that the ship observed has no perceptible heel.

If this should be the case, then the indication of the course will become less correct, and be changed in a ratio of about three-quarters of the amount of heel. This will be seen by reference to Fig. 4, in which S is the ship seen by an observer stationed right ahead; L and *l* the two range-lights, and *a* the angle of heel. The two lights appear not in a vertical line, one below the other, but inclined, and the lower light to the right of the perpendicular through L, at a distance $ll_x = Ll \sin a$.

If we assume, as before, $Ll = 21{\cdot}2$ feet, and $a = 12°$, then llx is $= 4{\cdot}4$ feet; if we compare this with the Table, column (*b*), we find that this would correspond to a change of course of about $\frac{3}{4}$ of a point (more exactly 8·5°), and that the observations of the ship's lanterns lead in this case to an error of this amount, whereas if the ship had been on an even keel, the indication of the ship's course would have been more correct in this position than in any other.

True, in the present case, the side-lights would have been visible, and could have been used to correct this error.

But this could not have been done if the ship's head had been turned from one to two points, where the error would have been about the same.

From the foregoing, it follows that the use of range-lights on the high seas does not offer the same advantages as have been found to be derived from it by vessels navigating inland waters, and this should not be lost sight of in coming to a conclusion regarding the introduction of such a system.

A practical difficulty will also be found in the placing of the forward range-light according to the demands of this system. For if a ship's foremast is placed 60 feet from the bow, and the foremasthead-light at a height of 30 feet above the hull, the forward range-light, with a minimum vertical distance of 15 feet, would be placed 15 feet above the hull and 34 from the bow; that is in a place where it is presumably difficult to keep it, if a fast steam-ship is going at full speed against a head sea.

If such a ship be provided with a turtle deck, it would probably be difficult to hoist or lower the lantern without slackening the speed, and to control the burning of the light.

It has also to be kept in view that a white light, accidentally shown somewhere about the stern, for instance, a bright binnacle light, could be mistaken for the stern-light, and thus lead to the belief that the observer is abeam of a vessel, when he is actually in a sector within six points from ahead.

It has to be remembered, too, that what a seaman especially wants to find out, when he watches another ship, is whether she is proceeding in such a manner as to involve risk of collision.

But the knowledge of the course of the ship alone is not sufficient to determine this. It would remain necessary to watch the compass-bearing of the ship in sight whether she be fitted with range-lights or not.

The greatest advantage of the above system, in the opinion of the Committee, is that a small change in the course of a steamer approaching end on, or nearly so, is at once and unmistakably indicated.

Lieutenant Fletcher also proposes that the foremast-light be occulted every half-minute for steamers going at a greater speed than 13 knots.

This proposition cannot be recommended by the Committee, as the construction of such a lantern is too complicated. It would, moreover, give only a very approximate idea of the speed of steam-ships, as these are known to proceed at the present day at any speed up to 20 knots and more.

Conclusion.—Range-lights, if properly placed and fitted, indicate, under certain circumstances, a ship's course in a more accurate way than at present. This is of some advantage, and therefore, in the opinion of the Committee, the optional introduction of some such system may be proposed for the favourable consideration of the Conference, adding, however, that no definite system should be decided upon for adoption before this subject has been more fully studied, and before a larger number of experiments under different circumstances have been carried out.

(B.)—*Systems in which two or more Side-Lights are employed on the same side.*

There are certain general objections to the introduction of a system which, in some cases, would require double the number of lanterns carried at present, and more, and it is considered advisable to state these before going into further particulars.

1. It has been found very difficult to compel certain classes of ships to carry the lights prescribed for them by the Regulations actually in force. It has to be expected that, had they to carry double the number of lanterns, there would result, presumably, still more cases of non-compliance with the law.

2. The care of a larger number of lanterns would require more men than could be spared for such service on board of small vessels.

3. The cost of the outfit of every vessel and the cost of providing the illuminant would be considerably increased. This would probably not affect the owners of large steam-ships, but would not be easily be borne by the man who owns only a portion of a small sailing-vessel.

Of the proposals submitted, a number were so definite that diagrams showing the number and arrangement of lights proposed could be drawn (see Figs. 5 to 12).

In these, A is to be the sector in which two coloured side-lights are visible; B the sector in which one coloured side-light; C the sector in which only the white stern-h (Article 11) or a white side-light (Fig. 12) is visible.

It will be seen, by reference to the figures, that an observer has only to count the number of side-lights visible from his position in order to know in which of the sectors A, B, or C he is. It is evident, then, that the course of a vessel, by the adoption of any one of the proposals submitted, could only be ascertained very approximately, and this advantage does not seem to the Committee important enough to warrant the recommendation of any of the proposals submitted to the favourable consideration of the Conference.

It is true that, by placing the lights on each side at a certain defined distance from each other, it would be possible to estimate the course of a vessel more approximately than at present, at least, when two lights are seen.

Practically, it would be most difficult to comply with such a proposition, and it, therefore, cannot be recommended. In addition to this, it ought to be stated that, as far

as known to the Committee, only a few experiments have been made with systems employing double side-lights at sea. The Royal Spanish Navy has tried it already in a squadron, and has found that the advantages gained by side-lights were not so great as to recommend their adoption. Neither have they given satisfaction to the officer in charge of the trials made in the United States (Report on Trials quoted above, p. 7, para. 4), and some of the advantages claimed for these systems remain to be proved before they can be considered as having more than theoretical value.

(C.)—*Systems in which the Direction of a Steam-Vessel is shown by placing the Side-Lights in a certain position relative to the Masthead-Light.*

It is evident that if the side-lights of all steam-vessels were so placed that a vertical plane through the line drawn from them to the masthead-light would form a certain known angle with the keel, it would be possible to estimate the direction in which a ship is heading more approximately than at present.

If, for instance, a ship had her lights so placed that the vertical plane through the line connecting the foremasthead-light with the side-lights would form an angle of 45° with the keel, counting from right ahead, then an observer on the starboard side of such a vessel would know that if the lights were visible one below the other that the course of the ship he sees was inclined four points to his eye-line; that if he saw the green light to the left of the foremast-light he would be in the sector between this line and the bow, and if he saw the green light to the right of the foremast-light, that then he would be in the sector aft of the four points line.

By noticing whether the horizontal distance between the two lights was larger or smaller, he would get another indication, and an observer would, therefore, be able to judge the course of a ship sighted pretty closely—say, within one or two points.

Unfortunately it is, in the Committee's opinion, practically impossible to assign to the side-lights a certain fixed position in regard to the foremast-light, particularly if this position should be chosen forward of the mast, by which, no doubt, the greatest advantage could be gained. But we think that at least some advantage migh be gained by placing the side-lights abaft the mast, at as nearly a certain fixed angle as circumstances will permit. Such a change could be made, probably, without incurring great expense, and we wish to propose to the Conference the adoption of a Rule according to which steamers would have to carry their side-lights abaft the foremast-light, the connecting line forming an angle of six points with the keel, or as nearly so as possible.

Besides these proposals there were a number of other propositions to better indicate a ship's course, submitted to the consideration of the Conference, which, though they may possess considerable merit, could not be commented upon according to the Resolution of the Conference, under date of the 21st October, by which it was resolved that no change should be made in the use of the present masthead-light and coloured side-lights. On that account proposals that made use of multi-coloured masthead lights, white side-lights, &c., could not be considered.

Stern-Lights.

Amongst the literature placed before us there are some papers proposing a stern-light fixed near the stern on the taffrail or thereabout. Such an arrangement would possess some advantages and would make it less necessary to look out astern for overtaking ships in order to show them the white light required by Article 11.

It would be impossible for small vessels to carry it in this position in bad weather, and therefore it cannot be recommended that a white light, fixed at the stern, be made compulsory for all vessels, large and small, but there seems to be nothing in the way of permitting all vessels to show a white light from the stern permanently.

In the case that the Conference should adopt this proposition, it would be well to have such lights screened so as to be visible at a certain angle only. This, under certain circumstances, would serve as an additional means to determine the course of a ship.

The Committee do not believe that any bad result would come from having the stern-light and side-light visible at the same time, as they would, under the circumstances, not be seen except at a considerable distance apart, and we therefore recommend that if such lights should be permitted, they be fixed so as to be visible from astern to abeam on either side.

Two Lights as Anchor-Lights.

There is a proposition before the Committee by which it is prescribed that two anchor lights—one at the bow, one at the stern—should be made compulsory for large steam-vessels. In such vessels it is impossible to place a white light in such a manner as to be visible all around the horizon (Article 8) on account of the funnels. It is, therefore, in the opinion of the Committee, advisable to make a second white anchor-light compulsory for all large steam-vessels. Perhaps it would be well to draw the line in such a manner that all steam-vessels which, as a class, have funnels higher than 20 feet above the hull—this being the maximum height at which anchor-lights can be carried (Article 8)—should have to carry two lanterns.

Among the suggestions submitted to the Conference there are a number which are not definite enough to be commented upon, but which have suggested some Resolutions, which are appended, and are herewith submitted to the Conference.

1. That in the opinion of the Committee the power of all running and anchor-lights should be expressed by referring them all to one standard by which the light issuing from the lantern should be measured.

2. That the minimum power only of each such light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the ship with proper lanterns to employ lamps of this or of higher power.

3. That the use of electric incandescent lamps is to be permitted; that the use of the arc light, however, is to be, at least for the present, excluded for all purposes other than signalling and search lights.

4. That each lantern must be so constructed that the minimum power of light is to be found at every point where the light is to be visible, after the lamp has been fitted with proper screens.

5. That the lanterns shall be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the ship be heeled one way or the other 12 degrees.

6. That the colour of the glasses by which the colouring of the light is to be produced be so chosen that the lights retain their distinctive colour even in a fog.

7. That no detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance be given inventors to produce serviceable articles.

We have, &c.

(Signed) Vice-Admiral N. KAZNAKOFF, *Chairman, Delegate from Russia.*
E. RICHARD, *Délégué de France.*
B. VEGA DE SEOANE, *Delegate from Spain.*
JAS. W. NORCROSS, *Delegate from the United States.*
HENRY WYATT, *Delegate from Great Britain.*
F. MALMBERG, *Delegate from Sweden.*
A. MENSING, *Delegate from Germany.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Appendix (A).

	Names of Persons having proposed distinct Systems of Range Lights or Names of Systems.	Short Indication of Measures proposed.
1	M. A. Hautreux, Lieutenant de Vaisseau, and M. Lanneluc, Capitaine au Long Cours.	All sailing- and steam-vessels to carry a white light at the foremast and side-lights. The steam-vessels to show, besides these, a white light in front of masthead-light. The line connecting these two to be 45 degrees with the vertical. All lights for steam-ships to be electric. The foremast-light to be scintillating for steam-ships of over 12 knots speed.
2	F. F. Fletcher, Lieutenant, United States' Navy.	Forward of the foremast, at a distance apart not less than the beam of the ship, two bright white range-lights of the same character as the present masthead-light, visible from ahead to two points abaft each beam. These lights shall be in the vertical plane of the keel, with the lower one so placed forward of the upper one that an imaginary line through them will make an angle of 55 degrees with the vertical.
3	Modified Fletcher System ...	Forward range-lights as in system No. 2; a white light to show all round the horizon, and at the same height as the forward upper range-light, to be placed as far aft as possible, in lieu of the light at stern.
4	United States' Inland Range System.	With present system of masthead-light and side-lights an after range-light is employed, visible around the horizon, and placed at twice the height of the forward masthead-light if possible.
5	M. L. Wood, Lieutenant, United States' Navy.	Side-lights, as at present used, both for sailing- and steam-vessels: (1) a white top-light under the foretop; (2) a white peak-light, visible all around the horizon on a monkey gaff. In addition to these, steamers have to carry a red top-light 3 feet below the white top-light, and a white bow-light with a reflector, in a funnel-shaped screen box, visible from the bow four points on either side.
6	John M. Hudson, Captain of the ship "Red, White, Blue."	All steam-vessels to be fitted with masthead-light and side-lights, as at present, and to carry a central range of two white lights besides; the stern-light to be placed near the flagstaff aft, the front light to be placed not more than 80 or 100 feet in front of this.
7	George P. Blow, Ensign, United States' Navy.	Sailing-vessels and steam-vessels to be fitted with two range-lights; the front light to show green on the starboard and red on the port side, visible from right ahead to two points abaft the beam on either side; the after light to be a light or combination of two lights, visible all around the horizon, proposed to denote the speed of steamers and the rig of sailing-vessels. No side-light and no stern-light to be used with this system.

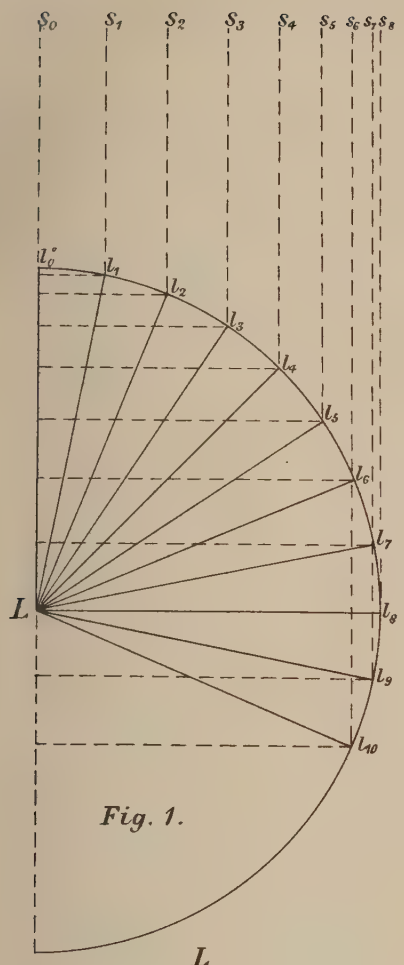

Fig. 1.

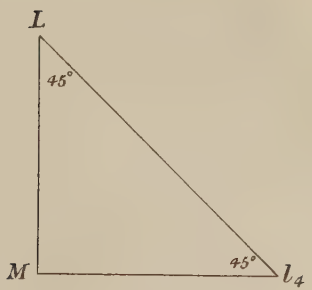

Fig. 2.

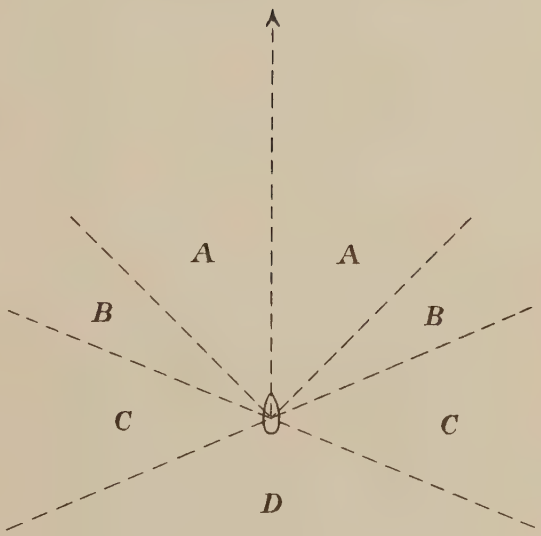

Fig. 3.

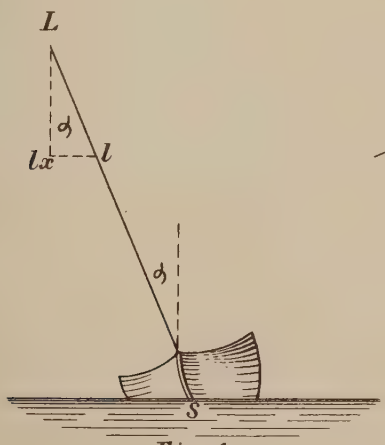

Fig. 4.

S_0 to S_8. Lines of Vision.
L..... Foremast-Light.
l_0 to l_{10}. Forward Range Light, when the ship is turned 0 to 10 points.

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Harrison & Sons, Lith., S. Martins Lane, W.C.

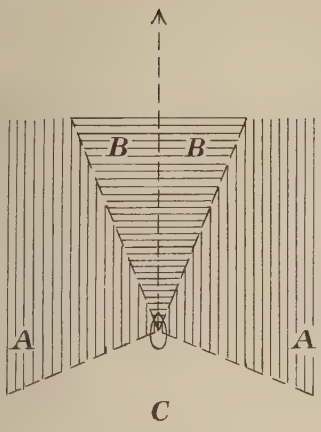

Fig. 5.

System_G. T. Parry

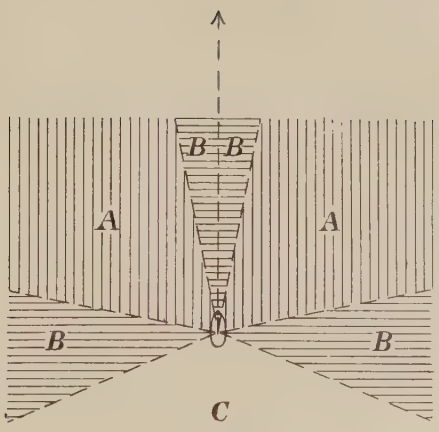

Fig. 6.

System_Capt. Manzanos

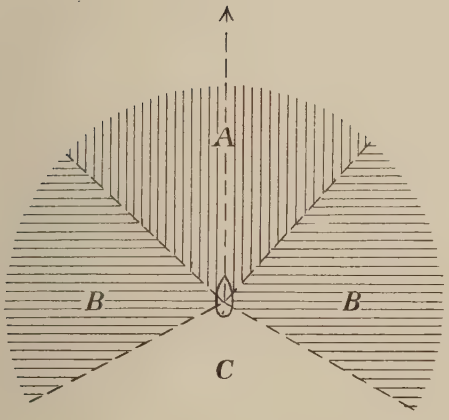

Fig. 7.

System_Bainbridge-Hoff

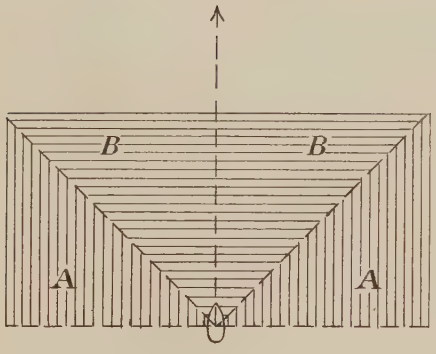

Fig. 8.

System_Littrow

B, sector in which one side-light is shown, shaded thus ≡

A, sector in which two side-lights are shown, shaded thus ‖‖

C, sector in which one white light is shown, not shaded.

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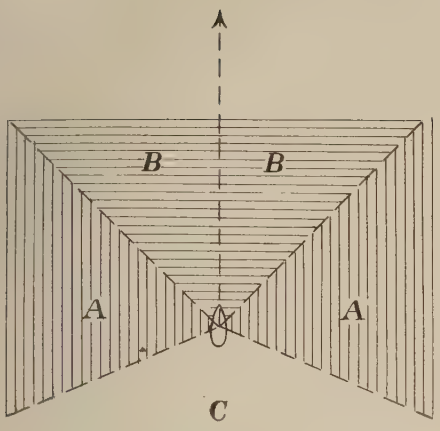

Fig. 9.

System_Lagerwall

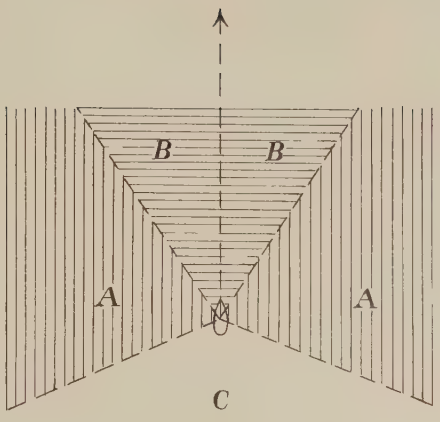

Fig. 10.

System_tried on board U. S. S. Yorktown

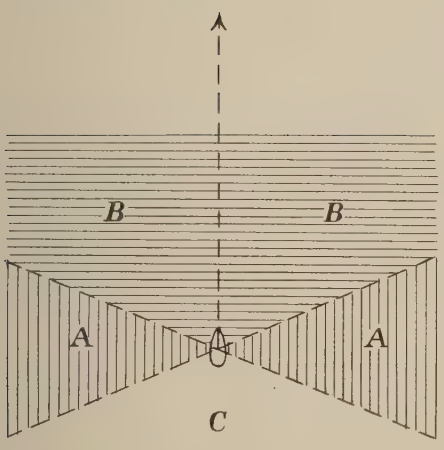

Fig. 11.

System_D. José R. Giratt

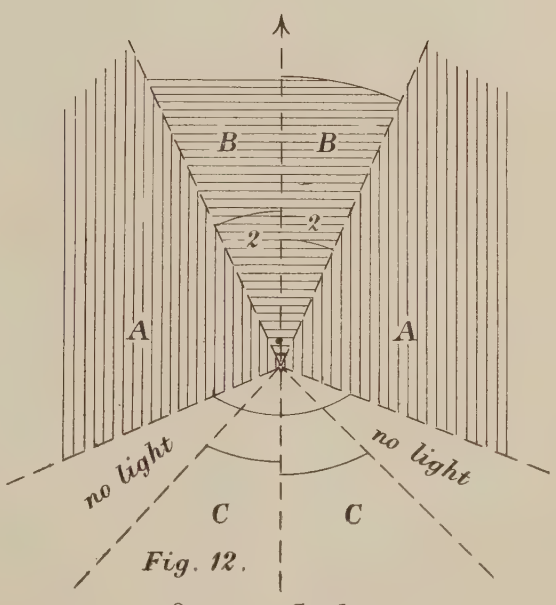

Fig. 12.

System Coulston

0/90. 1090) F. O. 431.

Harrison & Sons, Lith. S. Martins Lane, W C

Additional Report of the Committee on Lights.

Sir, *Washington, D.C., December* 12, 1889.

IN accordance with the Resolution passed by the Conference on the 9th instant, your Committee have again considered the question whether it would be advisable to assign a certain position to the side-lights, as has been done by extra amendment No. 41 to Article 3, which has led to the Rule adopted by the Conference, viz.:—

"The said green and red side-lights to be placed in steam-vessels not forward of the masthead-light, and in sailing-vessels as near abreast the foremast as practicable."

Doubts have been raised by the Collocation Committee on the advisability of this Rule, on the ground that it involves a radical change and leads to great expense by compelling a very material alteration of the present construction of many ships, consequences which are said to outweigh the slight advantage of the introduction of the Rule in question.

Your Committee, after having most carefully considered the subject, are unanimous in reporting that, in their opinion, the Rule passed by the Conference ought to be maintained.

In the Report dated the 4th November, 1889, the reasons have been given why in principle it would be advisable to have the side-lights of all steam-vessels so placed that a vertical plane through the line drawn from them to the masthead-light would form a certain known angle with the keel. It has at the same time been acknowledged to be practically impossible to give the side-lights a certain fixed position in regard to the foremast-light, but it has been thought practicable, and, therefore, has been recommended, to introduce a Rule by which steamers are compelled to carry the side-lights abaft the foremast-light, the connecting line forming an angle of six points with the keel, or as nearly so as possible.

The considerations which have led to this recommendation appear to your Committee to be sound, and whilst confirming what has been said in the former Report, we beg to add the following remarks.

The Rule as adopted by the Conference does not, it is true, go quite so far in assigning to the side-lights a certain fixed position with regard to the masthead-light as the recommendation contained in our Report of the 4th November. Nevertheless, by preventing steam-vessels from carrying the side-lights forward of the masthead-light, it will serve to give more certainty to the respective position of the regulation lights, and thus, in our opinion, will mark a decided improvement of the means of ascertaining the course of an approaching steamer, which improvement will gradually be increased when experience shows the advantages of the system.

On the other hand, the difficulties connected with the introduction of the Rule appear to be not at all unsurmountable. Many ships are even now constructed so as not to require any changes in consequence of the adoption of this Rule. Others might easily comply with the Rule by changing the position of the masthead-light in placing it more forward of the foremast. And even if the position of the side-lights should have to be altered, this could, in most cases, be done without incurring too heavy expense.

We, therefore, recommend to let the Rule stand as it is, provided, however, that the Rule be adopted universally. Having regard to the difficulties which some ship-owners may justly feel if they had to comply with the new Rule at once, your Committee think that sufficient time should be allowed for the effecting of the changes necessitated by the Rule, so as to enable ship-owners to carry out these changes under the most convenient conditions. Vessels now in course of construction will, of course, be able to adopt the new principle at once.

As regards sailing-vessels, the Committee do not consider it necessary to adopt the above-mentioned Rule.

We have, &c.

(Signed) Vice-Admiral N. KAZNAKOFF, *Chairman* (Russia).
E. RICHARD (France).
B. VEGA DE SEOANE (Spain).
JAS. W. NORCROSS (United States).
HENRY WYATT (Great Britain).
F. MALMBERG (Sweden).
A. MENSING (Germany).

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Inclosure 5 in No. 143.

Report of the Committee on Sound-Signals, appointed by the International Marine Conference to examine and report to the Conference the Literature on that Subject which is in the possession of the Conference.

Washington, October 31, 1889.

SINCE our first meeting, on the 23rd instant, we have examined the numerous proposals that have been placed before the Conference, and submitted to us, for indicating in fog, mist, or falling snow the direction in which a vessel is proceeding by means of sound-signals, in agreement with the course steered; the sounds or characters being made by one or more steam-whistles or fog-horns, and varying in number, length of note, or pitch of tone, to distinguish the course of a vessel.

We have also had before us a Memorandum prepared by the Committee of the Second Northern Maritime Conference, held at Copenhagen, dated 1888. It is there stated that "The sound-signals in fog, mist, or falling snow, according to Article 12, are commonly regarded as insufficient, as hereby only is prescribed 'that a steam-ship under way shall make with her steam-whistle, or other steam sound-signal, at intervals of not more than two minutes, a prolonged blast,' as by this means only the very incomplete information is obtained that a steamer is within the range of hearing. Proposals to the remedy hereof exist in a considerable number, partly as to sound-signals indicating alterations of a ship's course, and partly as to indicating the courses of a ship. Fog sound-signals for manœuvring seem to have gained only a few adherents, as they generally are considered to be more misleading than leading in crowded fairways. On the contrary, a steam-whistle system for 'Compass Course-Signals' is commonly considered as practical and useful.

"The objections to a compass course-signal system seem to be derived from a fear, partly that such combined signals might easily be misunderstood, and thereby do more harm than good, and partly on account of the difficulty of deciding with certainty the exact direction in which the signals are heard. Nevertheless, as far as we can judge, it seems that if the 'whistling' which now only signifies 'here is a steamer' was arranged in such a manner that it did signify 'here is a steamer steering a certain course,' that this could not make the situation worse, but rather serve to better it. Adherents or not adherents to such a system do, however, agree that neither the steam-whistle nor the fog-horn are, as a rule, of sufficient efficiency, and that this matter, therefore, ought to be regulated by International Agreements."

We have also considered (1) the replies to a Circular sent out by the United States' Hydrographic Office to the branch offices, asking for the opinion of practical men on the subjects referred to in the programme of the Conference, an epitome of which replies, so far as they relate to the subjects on which we are to report, we have prepared and have annexed (Appendix A); (2) the opinions expressed, in reply to a Circular letter sent out by Captain Shackford, by a number of experienced seamen employed in navigating vessels in American waters and in the Atlantic, the majority of whom express themselves against the introduction of course-indicating sound-signals; and (3) a Memorandum (Appendix B) on the use of such signals, prepared lately by the British Board of Trade, which discusses the whole subject, and contains the opinion of the most experienced British ship-masters, a very large proportion of whom are against the introduction of such signals.

We have further considered certain proposals for the introduction of a general system of sound-signals for use in all weathers; for the adoption of a few sound-signals of an urgent or specially important nature; and for the adoption of sound-signals to denote any movement of helm.

The present authorized compulsory signals made by a moving vessel at sea, in fog, mist, or falling snow, are a prolonged blast on the steam-whistle of a steam-ship, or one, two, or three blasts on the fog-horn of a sailing-vessel.

We are informed and believe that the custom of careful seamen, when navigating steam-ships in fog by means of these signals, coupled with the injunction to proceed at a moderate speed under Article 13 of the International Regulations, is immediately the fog-signal of another ship not in sight is heard, apparently approaching from any direction before the beam—to reduce speed in agreement with the density of the atmosphere, and if necessary to stop and remain stopped until the other ship is located with as much accuracy as possible, then to proceed cautiously until all danger of collision has ceased to exist.

The principal difficulty in making use of a practical system of sound-signalling in foggy weather is in taking in the signal correctly, not in making it.

Until seamen are able to localize a sound with as great precision as they can the position of a light or object seen visually, the results to the mercantile marine from the adoption of a system of course-indicating fog-signals are in the opinion of the Committee a doubtful advantage. The chief use would appear to be to give facilities to approaching vessels, when not in sight of one another, and therefore when not certain of one another's position, to continue their respective courses without having first localized the direction and distance off of the neighbouring ship, and for the two vessels to try to pass close to each other without taking the precaution of first reducing or, if necessary, stopping their way through the water.

It is for the Conference to decide on the vital question whether to permit the use of such signals in the mercantile marine or not. But the Committee submit that increased danger might probably result—owing to the inability of the large majority of men to localize sound with sufficient accuracy—if those in charge of steam-ships are encouraged to navigate their vessels past others not in sight in a less cautious manner than they do at present.

The Committee are of opinion that, however simple an adopted system of course-indicating sound-signals may be, and however distinct in character the symbols chosen are from the signals now authorized and used, if vessels were navigated in dependence on them, when neither can see the other, there would be a danger of the officer in charge reading the signal incorrectly, or, if read correctly, of interpreting it wrongly.

Further, if such signals were in use in crowded waters, we apprehend that danger would result from the uncertainty and confusion produced by the multiplicity of signals, and from a feeling of false security that would be created in the minds of many.

The Committee would invite the consideration of the Conference to the following points:—

1. We are of opinion that many of the steam-whistles and the fog-horns and bells now in general use cannot be heard a sufficient distance; we therefore recommend the use of instruments giving a louder sound; and we consider it desirable that the sounds given by steam-whistles and fog-horns should be regulated so that the tones of the steamer's fog-whistle should be as distinct as possible from the sound of the sailing-vessel's fog-horn.

2. As a vessel at anchor in a fog, &c., in a fairway at sea, is in a more dangerous position, particularly while swinging round broadside to the main line of route with a change of tide, than if under way and sounding the authorized fog-horn, we would suggest that such a vessel should be compelled to use a more efficient sound-signal than the bell at present authorized.

3. As in a fog, &c., a tug towing another vessel forms an exceptional danger, we would suggest that the tug and the one or more vessels towed should be compelled to sound a special fog-signal.

4. We would suggest that a vessel "not under command" should be compelled to sound a special fog-signal.

5. We invite attention to the desirability of not fixing the duration of the steam-ship's prolonged blast warning signal, under Article 12 of the Regulations, at any minimum until exhaustive experiments have shown that the efficiency of the signal is not reduced thereby. On this subject we attach some remarks on experiments made by M. Lefébre in Holland (Appendix C).

6. As regards the adoption of a general system of sound-signals, we learn, by a Return prepared by the British Board of Trade (copy of which is attached, Appendix D), that the majority of ship-owners and master-mariners are of opinion that there is at present no demand or necessity for such a system in the mercantile marine. Apart from the question as to war necessities, we concur in this opinion. But we would recommend the Conference to consider the desirability of introducing a few urgent and important sound-signals, particularly one to denote that, when two neighbouring ships are stopped in a thick fog, one vessel making the signal will remain stopped while the other is carefully feeling her way past her.

7. As regards helm-signals by sound, we are of opinion that it is not desirable to alter the present universally adopted signals.

8. We consider it worthy the attention of the Conference whether the custom followed at present by careful seamen of slowing or stopping on hearing the fog-signal of another ship not in sight, unless certain of her bearing and distance off, could be made compulsory, by a Regulation so worded as not to relieve those in charge from full responsibility.

9. As a relatively important matter, we would direct the attention of the Conference

to the desirability of steam-ships being provided with the means of blowing off the surplus steam when the engines are stopped in such a manner as to occasion as little noise as possible.

(Signed) SPAUN, *Delegate of the Austro-Hungarian Government.*
AUG. SCHNEIDER, *Delegate for Denmark.*
G. S. NARES, *Chairman of Committee, Delegate of Great Britain.*
R. SETTEMBRINI, *Delegate for Italy.*
T. SALVESON, *Delegate for Norway.*
VAN STEYN, *Delegate from the Netherlands.*
J. W. SHACKFORD, *Delegate of the United States.*

To the President,
International Marine Conference.

Appendix (A) to Report of Committee on Sound-Signals.

Circular to Branch Hydrographic Offices.

Hydrographic Office, Navy Department, Washington, D.C.,
Sir, *May* 3, 1889.

A COPY of the programme of subjects to be considered by the International Marine Conference has been forwarded to you to-day. It is the desire of the Chief of the Bureau of Navigation for you to discuss this matter thoroughly with all those who are interested and competent to judge, and to make a Report in detail to this Office. The object of this is to formulate practical views for the use of our Commissioners, on all or any of the subjects referred to, or on any others that may have been omitted. This matter must be taken up at once, although sufficient time will be allowed to do the subject that justice which its magnitude and importance demand.

Attention is called to the April number of the "North American Review," containing articles bearing on this subject.

Very respectfully,
(Signed) G. L. DYER, *Hydrographer.*

Answers to Circular of United States' Hydrographic Office from various Writers.

SUMMARY OF OPINIONS AS TO FOG-SIGNALS, &c.

Branch Hydrographic Office, New York, August 13.

Doubt as to what quality of whistle is most audible, also as to course-indicating signals; it would seem that, as they are simpler than bugles, sailors could learn former as easily as cavalry-horses learn latter.

Suggests speed to be limited to 6 knots an hour.

Experiments should be made as to penetrating power of signals, and a code of compass-signals made. Incloses codes of manœuvring signals and compass-course signals.

Branch Hydrographic Office, Norfolk, Virginia.

Fog-signals should not imply how the vessel is heading as regards the wind.

All vessels should slow in a fog; speed not to exceed 5 or 6 knots an hour.

Helm-signals should be made in clear and foggy weather. Systems adopted should be simple and international, and enforced by law.

Branch Hydrographic Office, Boston, Massachusetts, September 19.

Fog-signals.—No complication whatever should be attempted. Many authorities in favour of course-signals—not more than eight points of compass. Advise Morse system, also signals for vessels towing, not under command, anchoring. Helm-signals, especially during foggy weather, are unnecessary complications, at least in open sea; necessary in narrow inland waters. Should be uniform for all nations.

Regulation for moderate speed in fog should be amended to slow speed, *i.e.*, not more than half-speed.

Merchants' Exchange, San Francisco, September 30.

In favour of sound-signals. Incloses code, depending on number of sounds.

Branch Hydrographic Office, Baltimore, Maryland, September 26.

Any code of course sound-signals should be of simplest kind, have few elements, and only attempt to indicate four compass-points. Helm-signals should be compulsory. Speed in fog should be lowest speed at which vessel readily answers helm.

W. R. Mayo to Secretary, Chamber of Commerce.

Has seen various methods proposed for indicating the direction a vessel may be heading in a fog, &c., but believes that all of them are so complicated as to be useless; and they may therefore do harm.

The present sound-signals for fog are good, and if steamers approaching each other in a fog would adopt the precaution of slowing down close, and feeling their way by each other, no trouble would occur. The great requisite in fog and other thick weather is not more signalling from steam-whistles but greater precaution on the part of ship-masters.

R. H. Hughes, Master, Steam-ship "Nova Scotian."

Suggests a sound-signal for vessels not under command or laying a telegraph cable. Fishing-vessels at anchor to sound an automatic whistle.

Present helm-signals should be made compulsory.

Paul Brown, Master, Steam-ship "Victor."

Suggests sound-signals for a compass direction.

Signals should be sounded by minutes. Helm-signals should be made compulsory.

Suggests a sound-signal for vessel not under command.

Opinions of various experienced Mariners and other practical men obtained by Sergeant Paul Daniels.

Course-direction signals not practicable.

Present Rules are generally satisfactory if properly carried out.

Present helm-signals should be made compulsory.

Fog-signals should be sounded every 30 seconds.

Sound-signals should be adopted to denote a vessel not under command, a vessel towing, and a vessel laying or taking up a telegraph cable.

The speed of vessels approaching the coast in thick weather should be reduced to at least half-speed, say 6 or 7 knots.

Mr. R. B. Forbes.

Proposes direction-signals for eastward- and westward-bound vessels. Thinks it undersirable to establish signals for every course steered.

Speed need not be reduced in thick weather.

D. A. Nash, personal opinion to Ensign Blow.

Proposes direction-signals for eight points.

The signals should be repeated, as one signal is often imperfectly heard.

North German Lloyd's New York Agent to Ensign Blow.

No remarks on fog-signals.

H. G. Johnson, Master, to Officer in charge of Hydrographic Office, New York.

Present Regulations are all that is necessary. The Rules are very good, and such as are in familiar use by navigators.

Steam-ship "Pennland," to Ensign Blow.

Course-signals for steam-vessels would be advantageous. Present Regulations for sailing-vessels are all that is sufficient.

Fog-signals should be sounded at least every minute.

Present helm-signals should be made compulsory.

R. H. Hughes, Master.

Present helm fog-signals should be made compulsory.

Fishing-vessels at anchor should sound an automatic whistle.

Opinions on Fog-Signals collected at Branch Hydrographic Office in New York from Captains of Steam and Sailing Vessels, and Shipping Men generally.

Captain Burn (of steam-ship "El Dorado").—Believes that the present Rules of the Road are sufficient. Thinks steamers should be fitted with very powerful whistles. Recommends steam siren with parabolic reflector. In fog, both vessels should stop on hearing signals, and feel their way past each other.

Captain Mason (steam-ship "Chalmette), Captain Wiggins (steam-ship "Excelsior), and Captain Burdick (Superintendent of American Pier).—All agree in the following opinion: That the present Rules are sufficient if enforced. The simpler they are the better.

Captain Murray (of steam-ship "Alaska").—Is satisfied with the present Rules. Not in favour of any code of course-signals. Present helm-signals should be compulsory.

Mr. Reiley (Chief Officer, steam-ship "Lampasas").—Is satisfied with present Rules.

Mr. Dennett (steam-ship "State of Texas").—Is satisfied with present Rules.

Captain Rogers (barque "Siddarthe").—Satisfied with present fog-signals.

Captain Stevens (steam-ship "Manhattan").—Is against any complicated code.

Mr. Russell (Chief Officer, steam-ship "City of Atlanta").—Rules of the Road good enough as they are.

Captain Risk (steam-ship "Comal").—Advocates uniform size, power, and position of whistles.

Captain Fearon (steam-ship "Dawpool").—Advocates uniformity in instruments to be worked by compressed air.

Aaron Vanderbilt (T. E. Ward and Co.).—Advocates single and efficient code of signals (one to four blasts); compass-course signals, uniform pattern of whistles; increased power and range.

Captain Wilkinson (steam-ship "Denholm").—Fog-horns on sailing-vessels useless. Steam-whistle should be placed as high as possible, so that sound can pass over smoke-stack, &c.

Mr. Jones (Chief Officer, "Basil").—Thinks present Rules sufficient if properly observed.

Captain Bolger (steam-ship "Neuces"), and Captain William (schooner "Stella H. Kenyon").—Satisfied with Rules if enforced.

Captain Stevenson (steam-ship "Seneca") and Captain Lewis (steam-ship "Rio Grande").—Agree wite above.

Captain Hansen (steam-ship "City of Atlanta").—Satisfied with Rules; thinks that there should be a signal-whistle to designate a vessel stopped at sea, not necessarily disabled, but drifting, and not making headway.

Mr. Millard (Chief Officer, "Truro City").—Satisfied with Rules if enforced.

Captain Homer (steam-ship "Lucy B. Miller").—Agrees with above.

Pilot Joseph Nelson (pilot-boat "Stafford").—Does not believe in any possible code of signals to determine course in fog.

Mr. T. S. Negus (Chairman, New York Board of Pilots).—Says he has seen numbers of sound-signals suggested. They are inadmissible; too complicated.

Captain Ambrose Snow (President, New York Board of Pilot Commissioners).—The best Rule for preventing collisions in fog would be to require vessels to move slowly or anchor if possible, and to come to a full stop on hearing signal.

Captain Grant (steam-ship "Pennland").—Fog-horns used by sailing-vessels useless. All steamers should have whistles of greater power. In fog, vessels should stop at once on hearing signal.

Captain Gioccoechia (steam-ship "Gaditano").—Thinks four compass-courses should be signalled. Does not think any code depending on number of blasts advisable: recommends tones; whistles should be placed both forward on forecastle and aft, and should be blown simultaneously.

Mr. John R. Hughes (Inventor of Code of Fog-signals).—Believes that some system of compass-courses is essential. Thinks helm-signals should be retained only in case two vessels are in sight. No system depending directly on number or length of blasts practicable. Each vessel should carry in fog, as high up as possible, a large metal spherical cage or bell, which could be easily seen above fog in daytime.

Captain Kennedy (formerly of steam-ship "Germanic").—Fog-horns on sailing-vessels no use. For steamers believes code of signals could be used giving eight compass-courses. Code to be simple; short and long blasts; deep and shrill whistles.

Captain G. Macarthy (pilot-boat "J. F. Soabat").—Thinks some code for compass-signals should be obligatory; it should be simple: two whistles of distinct tone, one to be blown until whistle of another vessel is heard and located. Slowing down in a fog "a mere farce."

Lieutenant Smythe (Revenue steam-ship "Washington").—Code of compass-course signals recommended; eight points.

Captain Clampett (Delaware River Pilot).—Shrill whistle can be heard twice as far as deep whistles.

Captain Moody (steam-ship "State of Georgia").—Hoarse whistle can be distinguished better than shrill.

W. C. Almy, Steamer "Old Point Comfort," to Branch Hydrographic Office, Virginia.

Advocates four compass-course signals in fog; long and short blasts.

W. Whittle, Steamer "Georgia," to Branch Hydrographic Office, Virginia.

Advocates helm-signals in fog, which should be compulsory.

Speed in Fog.—No vessel should go at a speed greater than that at which she can hear the signal of another at a distance sufficient to stop; vessel in doubt should stop at once.

Branch Hydrographic Office, Philadelphia, Pennsylvania.

Steamers should carry two whistles. Is in favour of a code of compass course-signals; not more than 3 notes in any one compass-signal; 8 compass-courses.

Helm-signals, in all weather, should be compulsory.

Branch Hydrographic Office, Portland, Oregon.

In favour of a code of compass course-signals; four points. Helm-signals should be compulsory.

W. R. Mayo, United States' Customs, to Chamber of Commerce, Virginia.

Compass-course signals in fog inadmissible.

Helm-signals good if steamers approaching adopt precaution of slowing down and feeling their way past each other.

Opinions collected by Branch Hydrographic Office, New York.

Against course-signals.

Helm-signals should be compulsory. Advises a number of successive whistles to call attention of vessel or steamer ahead to that overtaking it. Sailing-vessel running with free wind must conform to signals of steamers.

Speed in foggy weather cannot be accurately determined in miles; sailing-vessels should be obliged to obey rule.

Providence and Stonington Steam-ship Company.

Advises one long blast of whistle, 8 seconds' duration, at intervals of 30 seconds. As position signal in fog recommends automatic machine; also compass-course signals showing 8 points. Steamers towing should have a distinctive signal. All fog-horns should be inspected. Signals on horns of sailing-vessels should be on the same principle as steamers' whistles; no use to indicate tack. Against a new code of signals, if it is at cost of simplicity. Bells should be regulated by law. Considers present arrangement as to helm-signals in United States' waters good. Signal for stopping should be regulated; it should be specified whether "I am stopping" refers to vessel or engine. Helm-signals should be compulsory in all conditions of the atmosphere. Speed in fog should be rapid, provided ships stop or slow immediately on hearing another vessel's fog-signal.

Opinions sent to Ensign Blow.

Lieutenant H. Barrol, United States' Navy.—Recommends slowing down in fog. Unqualified objection to any additional fog-signal.

Captain Yates, United States' Navy.—Recommends two whistles and eight compass-course signals by long and short blasts. In favour of helm-signals.

Commander Cooper, United States' Navy.—Agrees with Captain Yates.

Captain Batchelder, United States' Navy.—Agrees.

Captain Wise, United States' Navy.—Compass-course signals could not be used on merchant-vessels.

T. L. Moffat. United States' Navy.—Recommends only distress-signal.

A. P. Cooke, United States' Navy.—Mr. Blow's system of signals too elaborate.

C. A. Adam, United States' Navy.—Agrees with Mr. Blow's code.

J. A. Clampett, United States' Navy.—Also agrees.

Mr. T. Bryde, Master Mariner.—Approves of Mr. Blow's system, if only used for the four quadrants.

Mr. G. Moodie (steam-ship "State of Georgia").—In favour of code.

H. P. McIntosh, United States' Navy.—Against long and short blasts.

Captain Laub ("Thingvalia").—Advocates stopping when whistle is heard. Wants signal for vessel that is to keep her course.

Captain T. McKee ("Yamassee").—In favour of running slow in fog.

E. Kimble (steam-ship "Iroquois").—Sailing-vessels should have better horns. In favour of compass-course signals to indicate eight courses.

Clyde's Coastwise and West India Steam Lines (Wm. P. Clyde and Co.).

H. A. Bearse, Steam-ship "Cherokee."

Sound-signals for sailing-vessels should be better, *i.e.*, steamers are good in favour of four compass course-signals by short and long blasts. In fog or thick weather half rate of speed, so as to have full control of the vessel.

Captain S. C. Platt, Steam-ship "Seminole."

On examination of the code of fog-signals of Mr. J. R. Hughes, he would call it impracticable. Whistles should be made much larger and sounded oftener; sailing-vessels should make a louder noise at shorter intervals.

Captain N. D. Ingrans, Steam-ship "Benefactor."

Steamers should not be allowed to run at full speed, but should stop to locate a sound. Recommends a steam-siren of uniform size, giving a sound at regular intervals, and a steam-whistle for giving and answering signals within safe hearing distance, so that after hearing the siren the whistle only should indicate by the blasts if the ship is porting or starboarding. For sailing-vessels recommends an automatic compressed air-horn and a large bell when at anchor.

Master Mariner F. W. Fuler.

Only about lights.

Master Mariner A. Schück, from Hamburg.

No observations on sound-signals.

Commander C. W. Kennedy, White Star Steamer "Germanic."

Eight sound-signals are all that is required.
No systems given.
Helm-signals, now optional, should be compulsory.
Two powerful steam-whistles, one deep, one shrill-toned, to give these signals.
Instead of the fog-horns for sailing-vessels, recommends a gong; the horns only for fishing-vessels.
A small cannon for pilot-vessels on the stations; the gong when off the stations.

James A. Dumont, Supervising Inspector-General.

Thinks that the intervals between sound-signals should be one, and not two, minutes. No course-signals should be given. Ships should run slow in fog, with frequent stoppages. Bells should be rung every two minutes. Helm-signals in all weather should be compulsory.

The National Board of Marine Underwriters, New York.

Recommends the siren-horn for steamers; improved fog-horns, worked by levers, for sailing-vessels. In favour of introduction of course-signals for steamers and sailing-vessels. Vessels should stop on becoming aware of proximity. There should be special signals for a steamer towing to designate number of vessels towed. Helm-signals should be compulsory. Recommends bell or short blasts of whistle for ships not under command. In fog, vessels should go full speed in open sea, but should slow down on approaching the coast.

Philadelphia Maritime Exchange.

Recommends use of whistles of regulated power. The signal-code should be simple and always definite. An alarm-gun or bomb should be fired when a vessel approaches from a quarter where it is impossible that a whistle can be heard.

Liverpool Humane Society.

Thinks sound-signals should be used more systematically. Recommends gong for pilot-boats. The use of gongs for light-ships should be abandoned.

Appendix (B) to Report of Committee on Sound-Signals.

Course-indicating Signals.

IN order to obtain the opinion of a number of practical and experienced seamen as to the advisability of adopting some system of course or route indicating sound-signals for use in fog, mist, or falling snow, the Board of Trade caused copies of the following letter, dated 11th March, 1889, and of the inclosures, papers (A), (B), (C), (D), and (E), to be sent to forty-four of the principal firms of ship-owners and to five Ship-masters' and Seamen's Societies. Each firm of owners was invited to obtain the opinions of six of their most experienced masters upon the question printed at the head of the letter. An abstract of the replies received will be found at p. 175.

Proposals respecting Course-indicating Sound-Signals.

Marine Department, Board of Trade, 7, Whitehall Gardens,
Sir, *London, March* 11, 1889.

The question for consideration, and on which your opinion is invited, is as follows, viz. :—

"Is it practicable, and, if so, is it advisable, to introduce some system of course or route indicating sound-signals to be made by steam-ships under way in fog, mist, or falling snow, when neither can see the other ?"

And on this question I submit, for your consideration and advice, the following observations :—

1. The present law on the subject of "sound-signal" and "course-indicating signals" is contained in Articles 12 and 19 of the International Regulations, which are as follows :—

Sound-Signals for Fog, &c.

"Art. 12. A steam-ship shall be provided with a steam-whistle, or other efficient steam sound-signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn, to be sounded by a bellows or other mechanical means, and also with an efficient bell.* A sailing-ship shall be provided with a similar fog-horn and bell.

"In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say :—

"(*a.*) A steam-ship under way shall make with her steam-whistle, or other steam sound-signal, at intervals of not more than two minutes, a prolonged blast.

"(*b.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack, one blast ; when on the port tack, two blasts in succession ; and when with the wind abaft the beam, three blasts in succession.

(*c.*) A steam-ship and a sailing-ship, when not under way, shall, at intervals of not more than two minutes, ring the bell.

"Art. 19. In taking any course authorized or required by these Regulations, a steam-ship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, viz. :—

"One short blast to mean, 'I am directing my course to starboard.'

"Two short blasts to mean, 'I am directing my course to port.'

"Three short blasts to mean, 'I am going full speed astern.'

"The use of these signals is optional, but, if they are used, the course of the ship must be in accordance with the signal made."

N.B.—It is to be noted that Article 19 only applies when the vessel making the signal has the other vessel "in sight."

Article 13, respecting the speed of ships in fog, &c., is in the following terms :—

Speed of Ships to be Moderate in Fog, &c.

"Art. 13. Every ship, whether a sailing-ship or steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed."

2. The International Code of Signals Committee recently appointed by the Board of Trade have taken steps to ascertain whether there is a general demand on the part of the mercantile marine for the establishment of some system whereby the signals in the International Code Book may be made by night as well as by day.

In the course of their *interim* Report, dated 15th January, 1889, the Committee state as follows :—

"So far as we have been able to ascertain at present, there appears to be no general demand on the part of the mercantile marine for the establishment of a general system of night signalling. At the same time we think it advisable to adopt some plan by which a few urgent and important signals may be made by night as well as by day."

The signals selected by the Committee for this purpose are as follows :—

Urgent or important signals which may be made at night or during fog, either fly flashes of white

* In all cases where the Regulations require a bell to be used a drum will be substituted on board Turkish vessels.

light or by a combination of long and short sounds on the steam-whistle, fog-horn, siren, bugle, &c. In the daytime they will be made by flags, if the weather is clear.

Instructions for the Use of Flashing or Sound-Signals.

(1.)

With flashing signals, the lamp must always be turned toward the person addressed.

(2.)

To attract attention, a series of rapid short flashes or sounds should be made and continued until the person addressed gives the sign of attention by doing the same.

If, however, it is supposed that the person addressed cannot reply, the signal may be made after a moderate pause, or, under certain circumstances, the communication may be made direct, without preparatory signs.

(3.)

After making a few rapid short flashes or sounds as an acknowledgment, the receiver must watch, or listen attentively, until the communication is completed, when he must make the sign indicated below, showing that the message is understood.

(4.)

If the receiver does not understand the message, he must wait until the signal is repeated.

(5.)

Duration of short flashes or sounds	1 second.
„ long „ „	3 seconds.
Interval between each flash or sound	1 second.
Answer, or "I understand"	—·—·—·—, &c.

Flags.	*Signals.*	*Flashes or Sounds.*
NP	I want assistance. Please remain by me	·——
JK	You are standing into danger	———
PG	Beware of derelict, dangerous to navigation	———
QC	Have encountered ice	———
PD	The way is off my ship, you may feel your way past me	——·—
JB	Stop, or heave to; I have something important to communicate	——·—·
PR	Am disabled. Communicate with me	——·—

When a vessel is in "tow," the following flashes or sounds may be made from her to the tug or towing vessel:—

KR	Steer more to port	—·
KS	Steer more to starboard	·

The International Code of Signals Committee having thus accepted the principle that it is advisable to adopt certain few special sound-signals, the Board of Trade have requested the Committee further to consider and report upon the following points:—

"Whether, in the interests of safety, it is desirable to establish a system of sound-signals to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding.

"Whether, on the same grounds and for the same purposes, it is necessary to establish a system of sound-signals to be used by sailing-vessels under like circumstances.

"Whether such system should be limited to crowded waters and narrow seas near coasts, or whether it should be extended to the open seas also.

"If any system is deemed by the Committee to be practical, what that system is."

These matters are accordingly receiving careful consideration, and will be referred to in the Final Report of the Committee.

3. The present International Rules as to sound-signals are based on the assumption that in a fog, mist, or falling snow, a vessel is to go at a moderate speed, and to blow a whistle or fog-horn as a warning that she is somewhere in the locality (Article 12), and as a caution to other vessels that may be in her neighbourhood. Nothing more is intended to be conveyed by the signal sounded under the existing Regulation by a steam-vessel in thick weather. In clear weather, as has been pointed out, a steam-ship may indicate an alteration in her course to any other ship which she has in sight by certain specified signals (Article 19).

4. *Sailing-ships.*—A sailing-ship is at present required to indicate the tack she is on with the wind forward of the beam, or, if running with the wind abaft the beam, to indicate the same by another distinctive signal.

5. It would, therefore, as far as steam-vessels are concerned, effect fundamental alteration in the principle of the Rules if a system of sound-signals were to be now adopted with the object of indicating the course of the steam-vessel making that signal in a fog, &c.

6. The many proposals which have been made to the Board of Trade from time to time regarding course-indicating signals to be used by ships under way in fog, &c., may be fairly described as of two broad classes: one class being founded on compass-courses, and the other on routes. The paper marked (A) is an attempt in the direction of indicating compass-courses, and that marked (B) is an attempt in the direction of route-courses.

Please understand that the papers (A) and (B) inclosed do not lay any claim to originality; they are rather examples of the two classes of proposals collated on the very numerous suggestions which have been made on the subject, and to which I have already referred.

7. I should also like to call your attention to the fact that in 1883 the Council of the Society of Arts appointed a Committee to consider the question of collisions at sea. In addition to Sir W. Siemens (who, as Chairman of the Council of the Society, was an *ex officio* member), the following gentlemen composed the Committee:—

Sir A. Ryder (Chairman), Sir Frederick Abel, Sir Frederick Bramwell, Andrew Cassels, Esq., Lord Alfred S. Churchill, B. Francis Cobb, Esq., Sir Edward Inglefield, Loftus Perkins, Esq.

A Preliminary Report, prepared by Admiral Ryder for submission to this Committee, was printed in the "Journal of the Society of Arts" for the 2nd May, 1884. No Report signed by the members of the Committee appears to have been issued.

The following extract from this Preliminary Report of Admiral Ryder refers specially to fog-signals and course-indicating signals:—

"2. Nearly all the methods proposed assume the desirability of a code, international or not, of fog-signals, and in many of the inventions great ingenuity has been displayed. Supposing the objections to an elaborate code to be got over, there can be little doubt that several of the systems proposed would be very well adapted for the purposes required. The Committee, however, after giving special attention to the question of an international code of fog-signals, have come to the conclusion that the introduction of an international code for use by merchant-ships would be more likely to cause confusion or disaster than to conduce to safety: first, because the difficulty of making intelligible signals in a fog is very great; and, secondly, because it is to be feared that the authorization of such a code would foster a fancied feeling of security and encourage the practice of steaming at high speed under dangerous circumstances. The Committee believe that the utmost that could be done would be an indication of the direction of the ship's head as regards the vessel she is signalling to, as proposed by Mr. Rothery; and, in crowded channels, the indication by steamers of the fact that they were outward or homeward bound. At the same time, the Committee are fully sensible of the desirability of increasing by all possible means the power of fog-horns and the general adoption of some form of 'siren' (an improved steam-whistle) for use on board ship."

8. Before the International Code of Signals Committee proceed to a consideration of the points referred to them, I am anxious to obtain for them the opinion of a few practical persons qualified to speak with authority on the subject from the point of view of the ship-owners and officers of the mercantile marine.

9. Under these circumstances, I shall be much obliged if you will kindly furnish me (confidentially) with your own opinion as to the necessity or desirability of extending the present Regulations, so as to include either compulsory or optional course-indicating signals for use in fog, mist, or falling snow when vessels under steam or sail cannot see each other.* I shall also be glad to receive the opinions of any of your experienced masters on the same subject. If, in your opinion, it is both practicable and advisable to establish some system of course-indicating signals for use during fog, &c., when ships under way cannot see each other, it would further be of material assistance to the Committee if the nature of the system you prefer be indicated.

10. I cannot withhold an expression of my own opinion that some of the objections in the paper marked (C) call for the very gravest consideration, and I feel that the Committee, before recommending the adoption of course- or route-indicating signals by ships in fog, &c., will need to be well assured that the adoption of any system would not be the means of increasing, rather than of diminishing, the present risk of collision, by encouraging masters, under the false security of trusting to the use of course or route-indicating signals, to run greater risks than at present by not reducing speed, and by altering the ship's course in fogs when neighbouring vessels are not in sight, on the strength of sound-signals that cannot be located with certainty.

11. The Committee appointed to consider these questions are Colonel H. M. Hozier, Admiral Sir F. L. McClintock, F.R.S., Sir D. Murray, Bart., Admiral Sir G S. Nares, K.C.B., Admiral N. Bowden-Smith, and Captain C. P. Wilson, with myself as Chairman.

I am, &c.
(Signed) THOMAS GRAY.

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* *Note.*—In this connection I must ask you to bear in mind that the Committee have already tentatively recommended for adoption the signal PD (▬ ▬▬ ▬) to be used by a steam-ship which cannot see the other, to signify that the way is off the steam-ship making it, and that the steam-ship hearing it may feel her way past the steam-ship making it.—T. G.

Paper (A).

Memorandum by Admiral N Bowden-Smith.

Suggestions respecting Fog-Signals.

Sir, 16, *Queen's Gate Terrace, London, January* 5, 1889.

I send you herewith my answers to the questions relating to fog-signals at sea, with suggestions for the consideration of the International Code Committee.

May I ask you to forward me a copy of suggestions made by other members of the Committee that I may consider them before the next meeting?

I have, &c.
(Signed) N. BOWDEN-SMITH.

The Secretary,
International Code of Signals Committee.

RELATING to Fog Signals at Sea.

Questions.	Answers.
Whether in the interests of safety it is desirable to establish a system of sound signals to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding.	Yes.
Whether on the same grounds and for the same purpose it is necessary to establish a system of sound-signals to be used by sailing-vessels under like circumstances.	Consider the existing fog-horn signals are sufficient.
Whether such system should be limited to crowded waters and narrow seas near coasts; or whether it should be extended to the open sea also.	It should be extended to the open sea, for though in some parts of the world vessels do not traverse the same route on their outward and homeward voyage, there are other seas on which steamers pass each other on the same track.
If any system is deemed by the Committee to be practical, what that system is.	The simplest system would appear to be an arrangement of blasts on the steam-whistle as described hereafter, the bell being reserved for ships at anchor as at present.

The following proposals for denoting the approximate course of a steamer in a fog have no pretensions to originality.

They resemble many of those suggested in the abstract of fog-signals tabulated by the Marine Department of the Board of Trade, notably No. 28, by Mr. J. H. Garfit.

It is proposed to authorize eight combinations of long and short blasts, which will be readily understood by referring to the diagram.

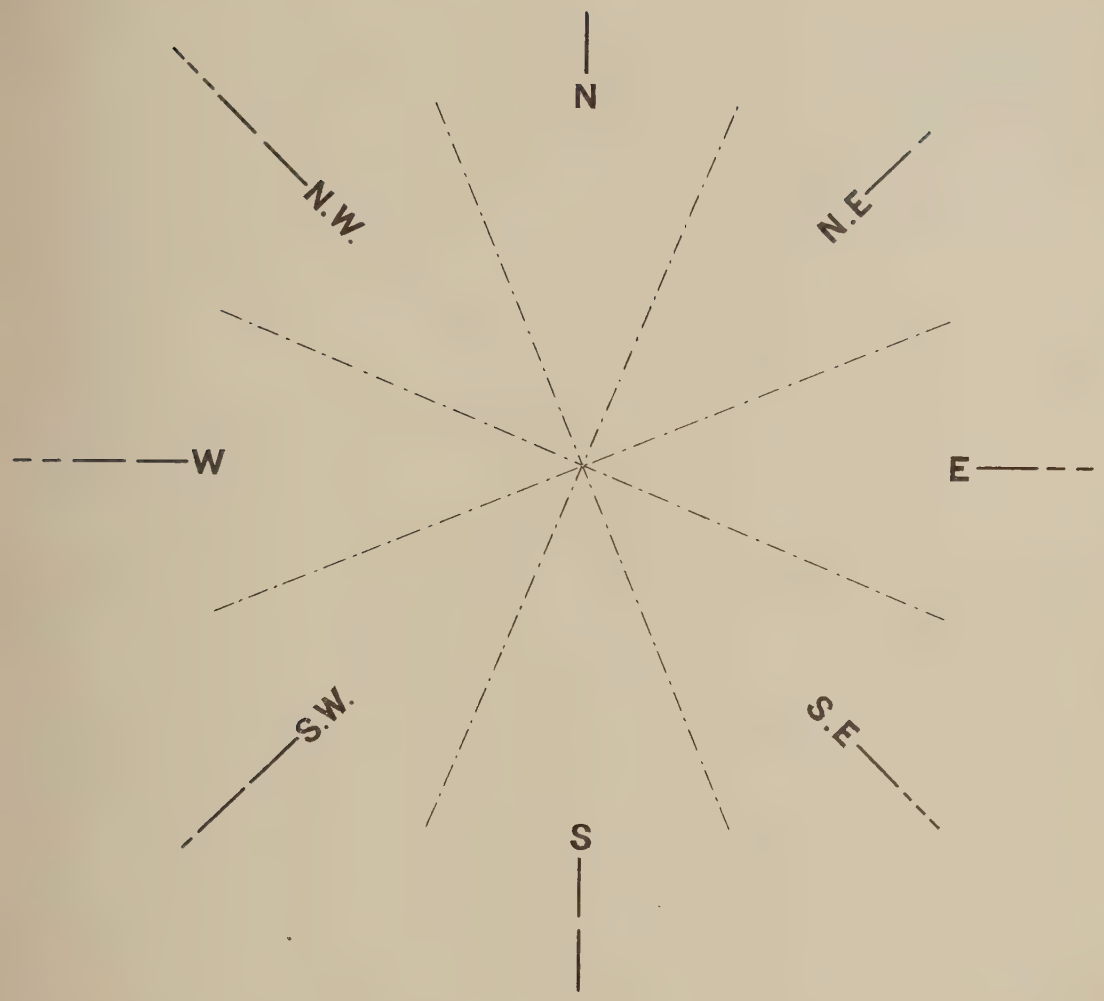
From the North section to the S.E. section the signals will commence with one long blast; from the South section to the N.W. section with two long blasts.

The duration of the long blasts to be four seconds, the short blasts one second, with one second intervals; thus it will require fifteen seconds to make the longest or N.W. signal.

It would not be desirable to introduce more than two long blasts on account of the length of time they occupy.

This system would seem to work well in the English Channel, where a large majority of the steamers would every two minutes be making the N.E. or the S.W. signal. Again, on the coast of Portugal, where fogs are very prevalent, they would be nearly all steering North or South, and sounding the corresponding signals.

With regard to vessels altering their course in a fog, they should be directed to continue making the same sounds until they had actually changed into another section: thus, if a ship has been steering N., and altered to N.N.E., she should continue blowing one long blast till she was steering to the Eastward of N.N.E. It is the case that in this way two ships may for a time be steering the same course though uttering different sounds, such as on a N.N.W. course, where one vessel might be sounding one long blast, and the other two longs and three shorts: but this cannot well be avoided.


N
N.W.
N.E
W
E
S.W.
S.E
S

The present system of all steamers sounding one prolonged blast gives no indication whatever of the direction in which they are proceeding, but the proposed scheme, though it lays down no fresh instructions as to how the officers in charge are to act, should help them to form a decision in carrying out the Rule of the Road

A vessel stopped, and having no way on, to sound three long blasts every two minutes.

The long blasts in this case to be of eight seconds duration, with two seconds interval.

Paper (B).

Memorandum by Sir George Nares.

Proposed adoption of a System of Sound-Signals to denote in Foggy Weather the Direction in which a Vessel is proceeding.

At present a sailing-vessel's fog-signal, if she is close hauled, coupled with the known direction of the wind, gives a more or less accurate indication of the direction in which she is proceeding. The fog-signal of a sailing-vessel with a fair wind, and that of a steam-vessel, indicates the vessel's presence alone. Even if the sound is located it is only by the increased loudness, or a change in the direction of succeeding signals, that a guess can be made as to the direction in which the vessel is proceeding.

If unconfusing and readily learnt Sound-signals can be introduced, giving better information regarding the direction in which a vessel is proceeding, an officer hearing such a signal would be less embarrassed than he now is, and he would be placed in a better position for more readily adopting any further precautions that the situation required.

The adoption of additional "Course" or "Direction" fog-signals by vessels should in no way interfere with the present Rules regarding the right of way of one vessel over another vessel.

All vessels must take the same full precautions to prevent a collision that they are required to take now.

The provision under Article 13, providing that in a fog, &c., every ship shall go at a moderate speed, and that under Article 17, providing that a steam-vessel shall keep out of the way of a sailing-vessel, should in no way be relaxed or interfered with.

Article 19, regarding helm-signals, should, as at present, only apply to vessels actually in sight of one another.

The reading of another vessel's fog-signal incorrectly should in no case be accepted as any excuse in the event of a collision occurring.

New "Course" signals should conflict as little as possible with the signals at present in use; and considering the crowded navigation of many districts, the additional symbols adopted and the number of sounds forming any one signal should be the fewest and simplest possible.

Compass-signals are thus precluded from consideration. For any compass system requires that the officer in charge should remember and be in the expectation of hearing at least eight different symbols; if only four were used, vessels steering within 89 degrees of each other—that is, crossing each other's course almost at right angles—would be sounding the same signal.

There remains only for consideration some system similar in principle to the "Route" systems suggested by Captain Honourable F. G. Crofton, R.N., Captain Wilcox, and others.

As a modification of the various proposals, I submit for consideration the following "Direct Route" systems, involving two additional signals for vessels steering along a "Direct Route" into and out of harbour, port, or river; and two for vessels bound in one and the other direction along a "Direct Sea Route," four in all; leaving steam-vessels on "Cross Ferry" or "Cross Channel" passages to sound a modified form of the present prolonged steam blast; and all other "Crossing Vessels," that is, all vessels crossing a "Direct Sea or Harbour Route" at a greater angle than 45 degrees, to use, if a steamer, the single prolonged steam blast now in use for all steam-vessels under way; if a sailing-vessel, the fog-horn signals authorized at present.

These systems are distinct in themselves. The Harbour, &c., system can be adopted irrespectively to the Oceanic system, and *vice versâ*.

If these proposed signals are adopted, although the number of sounds made by vessels will be increased, the actual number of signals heard at any one time will remain the same as at present.

By the adoption of signals made up of sounds of different character the well-known difficulty of correctly locating a signal will, I think, be lessened: certainly will not be increased.

The "Direct Route" System of Fog-Signals.

(*A.*) Vessels proceeding, or when not at anchor wishing to proceed, along a "Direct Route" when entering or leaving a port, harbour, or river, shall sound during fog, &c., one of two signals according to the direction in which she is proceeding along the "Direct Route."

At present in whatever direction a steam-vessel is proceeding she sounds one prolonged steam blast to denote a steam-vessel under way. As the two simplest additional symbols, I propose to add directly after the prolonged (long) steam blast one short steam blast to indicate a steam-vessel proceeding along a "Direct Route" into port, &c., and two short steam blasts to indicate a steam-vessel proceeding along a "Direct Route" out of port, &c., that is:—

Entering port, &c., long; short ... ... — -

Leaving port, &c., long; short, short ... ... — - -

Sailing-vessels proceeding along a "Direct Route" when entering or leaving port, &c., if on the starboard or port tack to sound the present fog-signals. If with the wind abaft the beam to sound on the fog-horn instead of the present three blasts, the same signals as proposed for steamers to sound with the steam blast.

(*B.*) Vessels proceeding, or when not at anchor wishing to proceed, along a "Direct Route" in any sea or water where fogs are experienced, and which is specially defined as a "Direct Route" for sound-signal purposes during fog, shall sound during fog, &c., one of two signals according to the direction in which she is proceeding along the "Direct Route."

For these vessels I propose, as the signals next simplest and distinct in character, to add directly after the prolonged steam blast, denoting a steam-vessel under way, one short and one long steam blast to indicate a vessel proceeding in one direction; and the opposite symbol, or one long and one short steam blast, to indicate a steam-vessel proceeding in the opposite direction, that is:—

For one direction, long; short, long ... ... — -
The opposite direction, long; long, short ... — — -

A sailing-vessel proceeding along a "Direct Sea Route" with a fair wind to sound the above on her fog-horn in lieu of the present three blasts.

A steam-vessel not at anchor but completely stopped to ring her bell, but only at the same time as and while sounding her "Direct Route" signal for the direction she wishes to take along the "Direct Route;" or while sounding the "Cross Channel" signal if wishing to cross the "Direct Route."

A vessel altering her course to clear another vessel in sight to sound the helm-signal now allowed optionally.

(*C.*) Steam-vessels employed on "Cross Ferries" and on established "Cross Channel" passages shall modify the prolonged steam blast, denoting a steam-vessel under way, so that the sound shall either commence low and be gradually raised, or commence loud and be gradually lowered.

In British waters all steam-vessels crossing a "Direct Sea Route" on an established "Cross Channel Route" shall, when bound towards Great Britain, sound a prolonged steam blast, which shall commence as abruptly as possible, loud, and be gradually lowered in tone; when bound from Great Britain shall sound a prolonged steam blast which shall commence in a low tone, and gradually increasing in loudness, end loud, as abruptly as possible.

(*D.*) Vessels crossing a "Direct Harbour, &c., Route," or a "Direct Sea Route," other than those specified under (*C*), and all vessels navigating districts not specially defined as "Direct Routes" for fog-signal purposes—or specially exempted—to sound the signals now authorized.

If a steamer, a prolonged steam blast.

If a sailing-vessel, one, two, or three blasts on the fog-horn.

As almost all "Direct Sea Routes" in foggy districts, in both the Atlantic and Pacific Oceans, are in a direction easterly and westerly, those directions may suitably form the basis for conformity in an adopted "Direct Route" system of signals.

Thus, with a very few exceptions, vessels steering an Easterly course along a specified "Direct Sea Route" sound in fog, &c.:—

Long; short, long ... ... — -

Those steering a Westerly course, sound—

Long; long, short ... ... — — -

EXAMPLES.

Proposed "Direct Sea Routes."

Vessels on the routes mentioned, sound—

Long; short, long ... ... — -

Vessels steering in the opposite direction, sound—

Long; long, short ... ... — — -

North Atlantic.

Northward and North Eastward...	Along East Coast of North America.
Eastward	Out of Gulf of St. Lawrence.
Eastward	Across North Atlantic.
South Eastward	From North of Ireland towards Liverpool.
North Eastward	From South of Irish Channel towards Liverpool.
Eastward	Up English Channel.
Northward	From Cape St. Vincent along coast of Portugal.
Eastward	Across Bay of Biscay.

North Sea.

North Eastward	From English Channel to North West European ports south of Skagerrack.
North Eastward	From English Channel to Baltic.

North Eastward	...	... From Thames to Baltic.
North Eastward	...	... From European Ports to Baltic.
Northward ...	...	... In North Sea along coast of Great Britain.
Eastward ...	...	... From an offing of 80 miles off British Coast to Baltic.

Baltic.

Southerly ...	...	... In Kattegat, the Sound, and the Belts.
North Eastward	...	... In Baltic.
Eastward ...	...	... In Gulf of Finland.
North Eastward	...	... In Gulf of Bothnia.

Mediterranean, &c.

Eastward ...	...	... Gibraltar to Cape Bon, Malta, and Egypt.
Eastward ...	...	... „ Cape De Gata, and Cape Creux, Gulf of Lyons.
South Eastward	...	... Offing off Gulf of Lyons to Skerki Channel.
South Eastward	...	... „ „ Bonifacio Strait.
Eastward ...	...	... „ „ offing in Gulf of Genoa.
South Eastward	...	... Offing off Gulf of Genoa to Maretimo and Malta.
South Eastward	...	... „ „ Strait of Messina, and off Syracuse.
South Eastward	...	... In Adriatic and along West Coast of Greece.
South Westward	...	... From Adriatic to offing off Cape Spartivento.
Eastward ...	...	... Candia to Egypt.
North Eastward	...	... Cerigo to offing off Dardanelles.
Northward ...	...	... On East side of Archipelago.
North Eastward	...	... On Coast of Syria.
North Eastward	...	... On West shore of Black Sea.
North Eastward	...	... Offing North of Bosphorus to Crimea.
North Eastward	...	... „ „ Kertch Strait.
South Eastward	...	... Kertch Strait to offing off Batoum.
Eastward ...	...	... On South shore of Black Sea.
North Eastward	...	... Offing North of Kertch Strait to Gulf of Azov.

North Pacific.

North Eastward	...	... In China Sea.
Northward ...	...	... In Yellow Sea.
North Eastward	...	... In Japan Sea.
Eastward ...	...	... Across North Pacific to offing off American Coast.
South Eastward and Southward		... Along West Coast of North America.

In the Atlantic the "Direct Routes," as distinct from the "Crossing Routes," that do not trend in a direction easterly and westerly are:—

1. East coast of Ireland trending northerly and southerly.
2. West coast of Portugal and France trending northerly and southerly.
3. East coast of Great Britain trending northerly and southerly.
4. The Kattegat, Sound, and Belts trending northerly and southerly.

The principle adopted for these districts is that vessels sound the signal they would sound on an extended voyage before or after passing through the districts named.

1. Vessels steering eastward and rounding Tuskar Lighthouse on a northerly course continue to sound the easterly "Direct Sea Route" signal; while, as provided for under (*D*), in the specially exempted district between Rockabill Lighthouse and the Isle of Man, they sound the present authorized signal; on passing westward of the south point of the Isle of Man they join the "Direct Sea Route" passing through the Irish Channel.

Vessels rounding the north of Ireland on an easterly course continue to sound the easterly "Direct Route" signal until abreast the south point of Isle of Man, after which if bound south along the coast of Ireland they sound the present authorized signal until passing Rockabill, when they join the "Direct Route" rounding the S.E. point of Ireland.

2. Vessels steering a northerly course along the coast of Portugal sound the easterly "Direct Route" signal.

3. Vessels steering a northerly course up the North Sea near the British coast sound the easterly "Direct Route" signal until entering the specially exempted district off Kinnaird's Head, when they would sound the present authorized signal until nearing the Pentland Firth and joining the "Direct Sea Route" passing north of Scotland.

Vessels steering a southerly course from the east entrance to the Pentland Firth would sound the present authorized signal until off Kinnaird's Head, after which they would sound the westerly "Direct Route" signal.

4. Vessels entering the Baltic continue to sound the easterly "Direct Route" signal while passing southward through the Kattegat, the Sound, and the Belts. Vessels leaving the Baltic continue to sound the westerly "Direct Route" signal while passing northward through the Sound, the Belts, and the Kattegat.

"Cross Channel" Passages which would sound the Signals defined under (C).

Crossing the English Channel "Direct Sea Route."
Crossing the St. George's and the North Irish Channel "Direct Sea Routes."
Crossing the Bay of Biscay "Direct Sea Routes."
Crossing between the East British ports North of London and the Baltic, while westward of an offing of 80 miles from the British coast, and crossing the North Sea "Direct Sea Route."
Crossing the "Direct Sea Route" between Sardinia and Italy.
Crossing the "Direct Sea Route" in Malta Channel, and South of the Strait of Messina.
Crossing the "Direct Sea Route" between the Bosphorus and the Crimea.
Crossing the "Direct Sea Routes" at the entrance to the Gulfs of Genoa and Lyons.

Sea Routes which would be specially exempted under (D).

1. Ocean Routes which cross a more frequented ocean route which has been defined as a "Direct Sea Route;" as—
Between the Scilly Isles and ports north while crossing the Bristol Channel.
2. Vessels requiring to change from the Eastward to the Westward bound signal while on the same voyage; as:—
The West European and Mediterranean trade while between Gibraltar and Cape St. Vincent.
Between the Archipelago and Egypt while passing Kaxo Island.
3. Vessels on a "Direct Sea Route" which would meet each other after rounding an island; as:—
The Atlantic trade with ports on the east coasts of the British islands, while navigating between stated points, as Rockabill and south end of Isle of Man; and Kinnaird's Head and the Pentland Firth.

If the proposed "Direct Route" signals for entering and leaving ports, &c., are adopted by the local harbour authorities, they would apply specially to vessels navigating within the local limits of each port.

If the "Direct Sea Route" is adopted by international agreement, I propose that the outer or sea limits of each local district should be for fog-signal purposes extended seaward to the line of "Direct Sea Route" nearest to the port, &c., or to some clearly defined area in the offing of the ports, &c.

Thus the "Direct Port, &c., Route" signals would apply equally to all vessels on the landward side of a "Direct Sea Route" that were approaching the land or steering out from the land to sea. On these vessels arriving on a "Direct Sea Route" and steering along it they would alter their signal from "Outward Bound" to the "Direct Sea Route" signal. On arriving near a "Direct Sea Route" and crossing it, they would sound the "Cross Channel" signal or the present authorized signal.

For a port like Constantinople the "Inward and Outward Route" signals would extend to an offing S.W. of the Dardanelles and to an offing North of the Bosphorus.

NEW SIGNALS PROPOSED.

STEAM OR FOG-HORN. Steam blast if a steam-vessel; fog-horn if a sailing-vessel with wind abaft the beam.

— . Vessel entering port, &c., or approaching land on a "Direct Route."

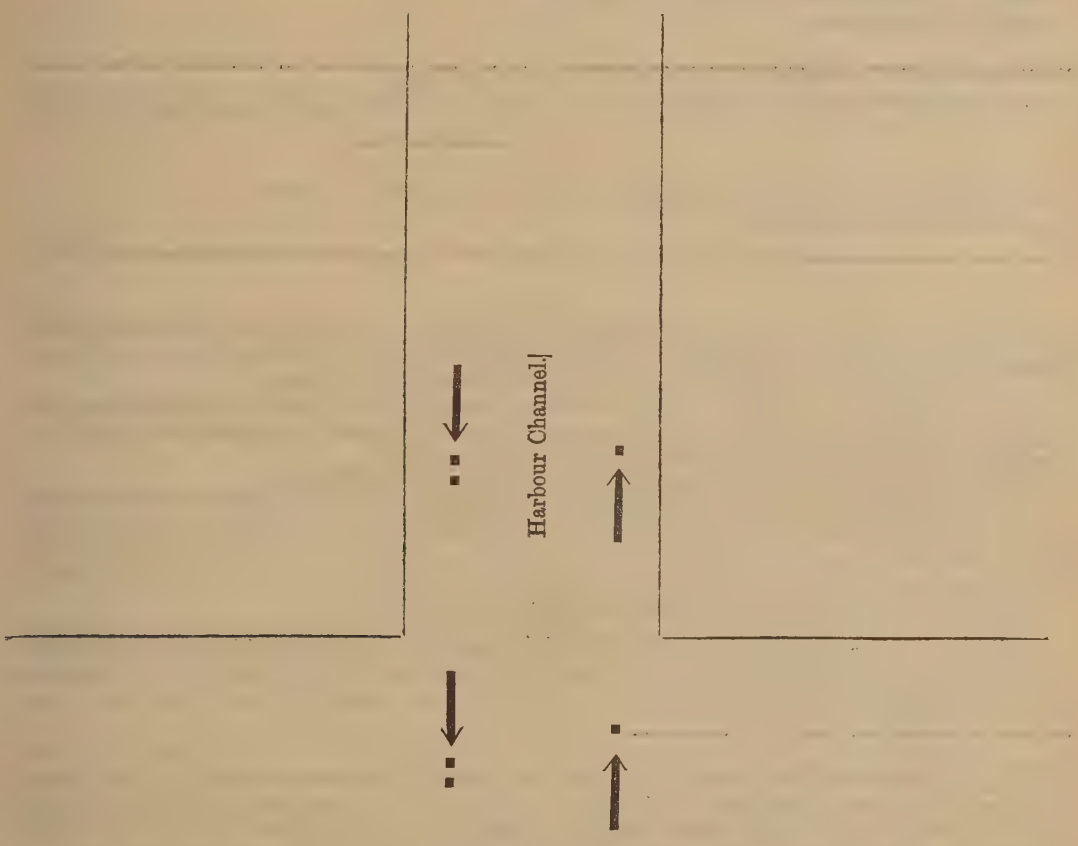
— . . Vessel leaving port, &c., or steering out from land on a "Direct Route."

— . — Vessel steering easterly* along a "Direct Sea Route."

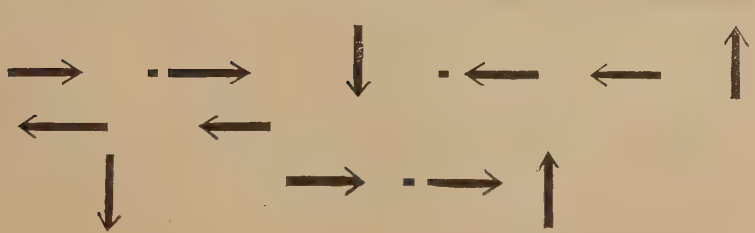
— — . Vessel steering westerly* along a "Direct Sea Route."

STEAM BLAST WITH BELL. Steam-vessels stopped, but not at anchor.

Example.



"DIRECT SEA ROUTE."



To the Secretary,
International Code of Signals Committee.
February 14, 1889.

* Except in a few special districts.

Paper (C).

Memorandum by Sir Digby Murray.

FOG-SIGNALS AT SEA.

Questions in the extended Reference to the Committee.	Replies.
Whether in the interests of safety it is desirable to establish a system of "Sound-Signals" to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding.	No.
Whether on the same grounds and for the same purpose it is necessary to establish a system of "Sound-Signals" to be used by sailing-vessels under like circumstances.	No.
Whether such system should be limited to crowded waters and narrow seas near coasts; or whether it should be extended to the open sea also.	It is less applicable to crowded waters where many steamers may be approaching one another at the same moment than it would be to the open sea.
If any system is deemed by the Committee to be practical, what that system is.	In my opinion no system.

Reasons.

When the late Rule of the Road Committee framed the course signals, Article 19 of the present Regulations, they were most careful to impose the restriction that they should only be used by a steam-ship under way to indicate her course "to any other ship which she has in sight."

This conclusion was arrived at without one single dissentient, as it was felt that to encourage the officer of any ship to alter her course in consequence of hearing a sound, the distance and direction of of which was necessarily unknown to him, would be fatal to safety.

I am still of opinion that the Committee in this exercised a wise discretion.

The collision which occurred between the steam-ships "Britannic" and "Celtic" on the 19th May, 1887, was brought about by the commander and second officer of the "Britannic" thinking the fog-whistle which they heard was on their port bow and porting to avoid it, whereas the sound was really on their starboard bow, and when the "Celtic" was at last sighted it was too late to avoid collision. both ships had kept their courses there would have been no collision.

On the 5th January, 1889, the steam-ships "Kenley" and "Pione" were approaching one another in a thick fog in the North Sea. The "Kenley" improperly ported and blew one blast of the steam-whistle before seeing the "Pione." (It is uncertain whether the "Pione" did or did not blow two blasts and starboard, as the case has not yet been heard in the Admiralty Court.) The result was a collision in which the "Kenley" was sunk.

In crowded waters and narrow channels it is possible, and indeed it often happens, that several steamers are approaching one another at the same time, and if, as has been suggested, all these vessels are to make distinctive signals indicating their course, or if, as has also been suggested, vessels following the direct route are to make distinctive signals in accordance with their direction, and vessels crossing the direct route are to make different signals, the position and distance of all these vessels being unknown with regard to one another, the result to my mind would be most confusing.

Let us consider, with the assistance of a few diagrams, the least complicated of these proposals, "The direct route system in the open sea."

↓B 1. ↓B 2. ↓B 3.

↑ A.

A is a steam-ship bound from New York to the eastward, and consequently on a direct route and making the signal proposed for direct route vessels bound to the eastward. The officer of the watch

hears a signal from another steam-ship bound in the opposite direction, which sound may be in the direction marked B 1, B 2, or B 3, or possibly much broader upon either bow, and the distance of which is unknown. What should the officer of the watch or commander of the ship do?

Undoubtedly keep his course, but get the way off his ship as quickly as possible. If the approaching steam-ship is either in the position B 1 or B 3, the two ships will both clear one another, provided that neither alter their course.

The two steamers have a beam respectively of 41 and 45 feet (the beams of the "Britannic" and "Celtic"), and the odds are very greatly against a collision stem on; but even if it does take place, the consequences are far less likely to be serious than if either vessel ported or starboarded, and in that manner exposed her broadside to the other.

Let me now suppose that this vessel bound to the eastward hears the signal of a crossing steamer bound, say, from some one of the southern ports to Boston.

If the officer of watch A could be certain the crossing steamer was in the position B 1 or B 2, and standing to the northward, he might proceed in safety, but she might be in the position B 3, or even more on his starboard bow, or if there is no difference between the signals of vessels crossing the direct route bound N. and S. his position would be still further complicated. His only safe procedure in any case would be to get the way off his ship.

In my opinion, whenever the officer in charge of the deck of a steam-ship hears during fog the sound of another steamer's whistle, or a sailing-ship's fog-horn anywhere apparently forward of abeam, he should at once get the way off his own ship, and after the way is entirely off her he should proceed with the greatest caution until he is finally past the danger, and should never, until the approaching vessel is seen, alter the helm under the impression that he can localize the direction and distance of the sound, in which he is almost certain to be deceived.

If these views are accepted by the Committee as correct, there remains for consideration the question as to whether any good is likely to result from having distinctive signals of any kind to intimate the course or direction in which steam-ships are proceeding during fog.

If, as in crowded waters, several steam-ships were approaching one another, not only no good is, in my opinion, likely to arise, but such a system of signalling would give rise to confusion, and if the result of it was to occasion over-confidence in the mind of the officers in charge, and induce them to alter the helm, it would, I think, be distinctly prejudicial to safety.

In more open water, if two steam-ships only were approaching one another at one and the same time, and the officers of both were required to first get the way off their ships, and then one ship was to remain with her engines stopped until the other had passed, as suggested by Captain Wilcox, such an arrangement would, I think, be in the direction of safety.

As, however, such conditions would only apply in a limited number of cases, and those the least dangerous, and could not with safety, in my opinion, be made generally applicable, I am not in favour of altering the present Regulations in this respect.

January 24, 1889.

Paper (D).

Memorandum by Admiral Sir F. L. McClintock.

SOUND-SIGNALS.

Sir, 8, *Atherstone Terrace, London, February* 21, 1889.

Having considered the four points in Lord Stanley of Preston's Minute, I have to report to the International Signals Committee as follows:—

To establish a system of fog-signals to be used by steam-ships during foggy weather to denote the direction in which they are proceeding, if made compulsory, would, in my opinion, rather increase than diminish the danger of collision.

Also, I think it undesirable either to alter the established fog-signal or to add fresh ones.

But I think that the optional use of a few sound-signals might be permitted with advantage.

The use of the signal PD should, I think, be encouraged: it is not liable to be mistaken for any other existing fog-signal, and it would always suggest the most prudent thing to do in a dense fog.

I think that eight course-signals should be established for optional use. There are times in dense fog during still weather, when ships moving slowly would be glad to use their course-signal, in reply to the ordinary prolonged blast.

Mr. Barker's Marine Safety Signal Code, of eight compass signals (No. 9 in the Abstract of Fog-signals) appears to have been most carefully thought out, and it could be adopted without interfering with any of the established sound-signals; it also seems better suited than most others for ready recognition and easy remembrance; for instance—signals beginning with a long sound indicate an eastward course, with a short sound a westward course. It seems probable that two of these signals would soon grow into use in the English Channel, with the outward and homeward bound ships.

(Signed) F. L. McCLINTOCK.

The Secretary,
International Code of Signals Committee.

Paper (E).

Memorandum by Captain C. P. Wilson.

MEMORANDUM ON FURTHER REFERENCE FROM THE BOARD OF TRADE AS TO SOUND-SIGNALS.

Board of Trade Surveyor's Office, St. Katherine Dock House,
Sir, *Tower Hill, February* 20, 1889.

I doubt if, "in the interest of safety, it is desirable to establish a system of sound-signals to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding," on the ground of the very great difficulty of ascertaining the bearing of one vessel from another during foggy weather. It may thus come about that under the supposition a vessel is in a different position from that really occupied by her, manœuvres may be attempted which might actually bring about the collision both are desirous, by their signalling, to avoid.

On the same grounds I also doubt if it is desirable to establish a system of sound-signals to be used by sailing-vessels under like circumstances. If sailing-vessels were liable to meet other sailing-vessels only during foggy weather, I should be disposed to modify these views, but as sailing-vessels are quite as likely to meet steamers as sailing-vessels, I am induced to treat them very much in the same category as to steamers meeting.

In Article 12 of the International Rules for Preventing Collisions at Sea, means are provided for sailing-vessels to indicate approximately the course they are steering, and there is no doubt that with them the direction of the wind is a material assistance in arriving at an approximate estimate of what course each vessel is steering; moreover, time in their case is not so much a factor to be considered, in consequence of foggy weather being generally accompanied by light winds or calms.

In Article 12 falling snow is referred to, when, of course, it is possible a gale of wind may be blowing, but the words of the reference to us mention only "during foggy weather."

I see no reason to draw distinction between sound-signals being limited to crowded waters and narrow seas, or extended to open sea also. In fact, I think that they are quite as likely to be of as much, if not more, use in the open sea, where there is less probability of the signalling of one vessel being confounded with that of another. The main difficulty in establishing a system of sound-signals that presents itself to me is the liability, when a number of vessels are present, of the signals of one vessel being misinterpreted to refer to that of another.

With reference to the various systems that have been proposed from time to time, I think they can be conveniently divided into two categories:—

1. Signals indicating the points of the compass only; and
2. Vocabulary signals.

Signals in the first category do not, I consider, go far enough to make it worth while adopting them, for the reasons given above.

The only vocabulary sytem with which I am acquainted, and that only very slightly, is the Morse system. The advantages attending it are apparently the ease with which it can be used for conversational purposes; secondly, its adaptability to light as well as sound, and to day as well as night, thereby doing away with the necessity of learning a second code; and, thirdly, that it would harmonize with the system in use in Her Majesty's Naval and Military Services. The only objection to it that occurs to me is that it is somewhat complicated, and it is very questionable whether the officers of the mercantile marine would have sufficient leisure to perfect themselves in its use.

On the whole question, I am against the establishment of a system of sound-signals until some invention has been perfected whereby the bearing of one vessel from another during foggy weather can be correctly indicated.

In Article 19 optional sound-signals are provided for indicating the manœuvre a steam-vessel is executing, but as that Article has no reference to foggy weather, I do not think it necessary to refer to it in detail, except to say that I have every reason to believe it is found very useful in practice.

If it is eventually decided that sound-signals are to be adopted for foggy weather, it would be

desirable to make them uniform with Article 19, so that the same signal might be applicable in both clear and foggy weather.

I have, &c.
(Signed) CHARLES P. WILSON.

The Secretary,
International Code of Signals Committee.

Sound-Signals for Use in Fog.

General Summary of Replies.

There have been received from—	Replies.
Masters who are opposed to the introduction of any compulsory system of sound-signals	119
Owners and Societies, ditto, ditto	10
Masters who advocate the adoption of a few simple signals, chiefly those provided by Article 19 of the Regulations for Preventing Collisions at Sea	48
Owners, ditto, ditto	2
Masters who advocate the adoption of more complete systems of signals	28
Seamen's Societies, ditto, ditto	1

The chief reasons given by those who object to the introduction of any system of fog-signals are the confusion they would cause in crowded waters, the difficulty of locating sounds in fog, the false confidence they would give to officers in charge of the vessels using them, and the considerable degree of skill and experience necessary to prevent the possibility of mistake in the event of any complex system being adopted.

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Allan Line Steam-ship Company	30	Leyland, R. W.	15
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British India Steam Navigation Company	27	London and North-Western Railway Company	1
British Ship-masters' Association (Hull)	34	London and South-Western Railway Company	25
Cayzer, Irvine, and Co.	13	McGregor, J.	11
City of Dublin Steam Packet Company	29	McGregor, Son, and Co.	20
Dublin Local Marine Board	38	McIver, D., and Co.	16
Eastern Steam-ship Company	26	McIver, H.	8
Fenwick, J., and Son	24	National Steam-ship Company	22
General Steam Navigation Company	5	Peninsular and Oriental Steam Navigation Company	21
Glover Brothers	19	Royal Mail Steam Packet Company	32
Great Western Railway Company	9	Scottish Ship-masters' Association	36
Guion and Co.	17	Shaw, Savill, and Albion Company	4
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Henderson Brothers	35	South-Eastern Railway Company	5
Holt, Alfred	12	Temperly, Carter, and Darke	31
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Ismay, T. H.	7	Wilson, T., and Sons	14
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Abstract of Observations on the proposed Introduction of a System of Sound-Signals for indicating the Routes or Courses of Steam-ships in Fog, Mist, &c.

1. *London and North-Western Railway.*

Dent, Admiral.—Deprecates any change, but thinks present long blast for S.S. might be continued, followed by one short blast when vessel's head is anywhere from N. to E.; by two between E. and S.; S. and W. three; W. and N. four.

Should not steam-ships with all way off use bells?

Thinks the views of Sir George Nares and Admiral Bowden-Smith might be carried out in a simplified form.

Beaumont, J. A.; and Johns, D., Masters.—Think it would not be advisable.

Taylor, G.; Varian, T. J.; Haldane, A. M.; Clay, T. G.; Thomas, R.; Green, J.; Roche, J. S. N., Masters.—All think the use of sound-signals would greatly increase the risk of collision in crowded channels.

Liddicoat, T.; and Gordon, A., Masters.—Think some simple modification of the present system desirable. Captain Liddicoat approves of the system used in the United States, and Captain Gordon thinks the system suggested by the naval officers and given in the Memorandum much too complicated for the merchant service.

2. Leyland, F., and Co.

Hill, M., Master, steam-ship "Bavarian."—Vessels approaching each other in fog should both stop, and, if necessary, use PD sound-signals until clear of each other.

McConkey, A. E., steam-ship "Persian."—The impossibility of judging from what direction sounds proceed in dense fog would render any compulsory system worse than useless; but in light fog an optional system of eight- or four-point signals, by combinations of long and short blasts, might be useful in open water. In channel work such signals would cause confusion.

Want, W. H., steam-ship "Bostonian."—Compass-signals would cause confusion, but would suggest the general use, in fog as well as clear weather, of the signals specified in Article 19, with one or two modifications.

Parry, E., steam-ship "Venetian."—Thinks the signals under Article 19 sufficient for steamers in fog, and would make no distinction between channels and open sea.

Laurenson, C., steam-ship "Falernian."—Would make the use of Article 19 signals compulsory in fog; any additional signals would cause confusion.

McLay, F. L., Superintendent.—Approves of Admiral Bowden-Smith's suggestions *re* compass-signals.

3. General Steam Navigation Company.

Ellis, J., Marine Superintendent; Dyer, Randall, Joslin, Mallett, Botwright, Cox, Laing, Harding, Wright, Masters.—Are all opposed to any system of sound-signals. Such signals cannot be located in dense fog; they would cause confusion and increase danger by inducing masters to rely upon them, and thus lessen caution in other directions. The signalling appliances of all vessels should be officially inspected.

Great Eastern Railway Company.

Howard, D., Marine Superintendent.—Thinks the present Rules sufficient; numerous sound-signals would cause confusion in narrow channels. There is room for improvement in lights and whistles, and every vessel should show a stern light.

Robinson, J. H.; Gay, W. S.; Henderson, R.; Ablett, J., Masters.—Are all opposed to any change in the present system.

Shedlock, H.; and Henderson, J., Masters.—Are of the same opinion, but the former approves of Mr. Barker's proposal for vessels steering E. to use one long blast, and those steering W. one short one; while Captain Henderson urges a more strict observance of Article 13 by sailing- as well as steam-vessels.

4. Shaw, Savill, and Albion Company.

Shaw, Savill, and Albion Company.—Any system of sound-signals will very greatly increase risk unless it is of the most simple character.

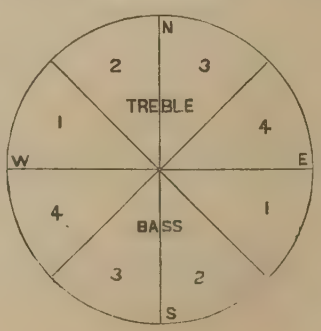
Barlow, B. J., Master.—A system of course- or route-signals is not practicable, because it is impossible for any man to tell within several points from what direction a sound is coming in a fog, and therefore any rule to avoid a danger which you cannot see, and the bearing of which is uncertain, would be most risky; would cause great confusion in crowded channels.

Burton, G., steam-ship "Coptic."—A system of sound (course) signals would lead to confusion; suggests advisability of using Article 19 signals in fog; and the "Direct Sea Route" signals proposed by Sir G. Nares might be useful, and perhaps might also be adopted for entering and leaving port. Suggests use of siren for indicating vicinity, and whistle for indicating measures adopted. The horns of sailing-ships should be more carefully tested than at present.

Marine Superintendent.—Thinks steam-ships should use the fog-signals prescribed by Article 12 for sailing-ships, and that, for the time, they should be assumed to be sailing-ships and signal according to tack and direction of wind. Proposes a number of short blasts as a signal for "engine stopped," that the term "moderate speed" should be defined as one-third the usual speed. Is strongly opposed to any complex system of sound-signals.

5. South-Eastern Railway Company.

Commander Boxer, R.N., Superintendent.—Thinks each steam-ship should carry two swivelled sirens: a high note one on port side to indicate all northern courses, and a low bass to starboard for southern; the various courses being indicated by the number of blasts, one to four, as per diagram, and five for going astern. Sailing-vessels to use horns in same way.



Davies, G., Hammond, F., Kilbee, P., Hall, J., Hammond, J., Harrold, H., and Winton, C., Masters.—All think there should be some system of sound-signals.

6. *London, Brighton, and South Coast Railway Company.*

Their Harbour-master (with many years' sea experience) thinks the present Rules sufficient, and that a system of sound-signals would cause confusion.

Hemmings, H. W., Master.—Thinks if the present signals were strictly used collisions would decrease. Approves of Admiral Bowden-Smith's system if it could be modified to four sounds for compass points.

Sharp, R., Master.—Thinks there should be a system of long and short blast compass-signals.

Breach, C. W., Master.—Thinks course- or route-signals would increase danger, but suggests that vessels on hearing each other might indicate their relative positions by combinations of long and short blasts, speed being reduced until vessels are clear. Approves of Morse system of sound and flash signals.

Hall, J. M., Wade, J., Masters.—Are opposed to any change.

Hartfield, G., Master.—Thinks two minutes between blasts in present Rule too long, and that there might be a specified number of blasts for vessels approaching or leaving land.

Hinton, J., Master.—Thinks two minutes between blasts too long, and that "moderate speed" should be defined.

Aubriot, A., Master.—Does not approve of a system of sound-signals. Thinks term "moderate speed" too vague, and that all vessels should show stern-lights. Sailing-vessels are often very badly lighted.

Sylvestre, L., Master.—Thinks there should be a system of sound-signals. Points out that term "moderate speed" is very indefinite.

Phelipot, L., Master.—Submits similar suggestions to the foregoing.

Phelipot, A., Master.—Thinks "moderate speed" should be defined, and that there should be a system of sound-signals. The lights and whistles of vessels are often inefficient at present, and require supervision.

7. *Ismay, T. H.*

Ismay, T. H.; and Hewitt, Captain, Superintendent.—Additional signals would cause confusion in crowded waters, and increase danger generally by inducing undue confidence in them. All their commanders are opposed to any new system, but one of Article 19 signals might be used for denoting that way is taken off, and a similar signal for reply. Simplicity is a great object.

8. *MacIver, H.*

Thinks the present Regulations, if strictly observed, preferable to any code of signals; but Captain Barker's automatic is the best system he is acquainted with.

9. *Great Western Railway Company.*

Lecky, Captain, Superintendent.—Is opposed to any change in the present simple system. The average master is unfit to work any complex method.

Davies, C., Master.—Thinks the present system sufficient. Approves of the harbour signals in paper (B), but course-signals generally would increase danger.

Pearn, W. L., Master.—Fears that sound-signals would cause confusion, but approves generally of proposals in paper (A). Thinks Article 19 signals might be adopted for fog.

Pearn, T., Master.—Thinks there should be a system for steam-ships, but the present signals are sufficient for sailing-ships. (Submits a detailed statement of suggestions for improving the system proposed by Admiral Bowden-Smith.) The use of Article 19 signals should be made compulsory.

10. *Ship-masters' Society.*

The Committee (and members in port) think any enlarged system of sound-signals would cause great confusion in crowded waters, while its use would require much practice. It is very difficult to locate sounds in fog. They think any system adopted should be universal, and should apply to sailing- as well as steam-vessels, and suggest merely the use of the present optional course-signals in fog, with perhaps PD added. Most masters think "moderate speed" should be defined.

11. *McGregor, J.*

Hutton, J. S., Marine Superintendent.—Thinks the present sound-signals should not be altered, but that sirens are more suitable than whistles for steam-ships, the sound being more penetrating. Bells should be of good metal, and should exceed 16 inches in diameter. A system of compass-signals (diagram submitted) would require fifty-six sounds, and the risk of the confusion would be great.

12. *Holt, Alfred.*

Has consulted other persons whom he thinks competent judges, and finds that opinion generally is against any system of sound-signals; some of them are, however, inclined to support the system proposed by Admiral Bowden-Smith. Mr. Holt is opposed to the adoption of a system.

13. *Cayzer, Irvine, and Co., M.* 8430.

Joss, J.—Is opposed to any system of sound-signals. Thinks signal whistles should be at bows to be more audible from other vessels and to avoid deafening of officers. In sailing-vessels fog-horns are often inadequate, and lights bad and badly placed. Thinks the questions and replies at the head of the paper (C) by Sir Digby Murray cover the whole of the ground, and these replies he thoroughly indorses.

Philp, A. I., Master.—Suggests a system of course (outward, homeward, channel, and coasting) signals, consisting of one, two, and three long blasts; but steam-ships meeting in fog should stop and feel their way cautiously.

Beer, S., Master.—A compulsory system would induce recklessness and also cause confusion, but thinks the system of Admiral Bowden-Smith would often be very useful if it were made optional.

Millar, W., Master.—Thinks the difficulty of locating sounds in fogs would tend to make a system of signals dangerous.

, Master of "Clan Graham."—Submits a system of course-signals to be made by means of blasts upon the siren and steam-whistle.

Harrison, N., Master.—His views on the matter coincide very much with those expressed by Sir D. Murray, Admiral Sir F. McClintock, and Captain C. P. Wilson. Is opposed to any compulsory system, but thinks Admiral Bowden-Smith's code, with certain modifications, might be made optional.

Rule, W. I., Master.—Thinks a few simple signals might be introduced, to be added to if found to work satisfactorily.

14. *Wilson, T., Sons, and Co.*

Rutter, J., Superintendent.—Thinks a system of sound-signals would be an element of great danger.

Worth, W. G., Master.—Sound-signals are impracticable on account of the difficulty of locating them. The sirens now used cause confusion when near light-ships.

Scarr, G., Master.—A system of signals would increase danger. Present system is sufficient, but it is very desirable that all whistles should be of a uniform pattern.

Wilson, R., Master.—Would merely impose a system, already often used, of one blast for going ahead, two for stopped, and three going astern.

Pepper, G., Master.—Thinks Article 19 signals with PD added would be sufficient. Any extensive code would increase danger.

Vickerman, W., Master.—A system of sound-signals would increase danger owing to the confusion that would arise in crowded channels, and the difficulty of locating sounds in fog.

Irvin, T. M., Master.—Thinks all steam-ships should be compelled to have uniform whistles, quite distinct from the light-ship sirens they now often resemble. Nothing more than Article 19 signals is required for use in fog, and these might be adopted.

15. *Leyland, R. W.*

Entirely agrees with Sir D. Murray's objections to sound-signals, but thinks vessels should carry lights arranged as helm indicators.

Richardson, N., Master.—A change in the present system would lead to danger. The horns of sailing-ships should be more powerful.

16. *McIver, D., and Co.*

Billinge, E., Master.—Whistles and horns should be more powerful than at present. Article 19 signals, with slight alterations, might be used in fog. Systems in papers (A) and (B) are too elaborate and quite unfit for use in the merchant service.

Gill, Master.—Thinks it important to have a few simple signals to denote up, down, and crossing English and Irish Channels.

McConochie, J., Master.—Agrees with Sir D. Murray and Admiral Sir F. L. McClintock as to the undesirability of establishing a code of sound-signals. Would encourage the use of PD, but believes route-signals would only increase danger.

17. *Guion and Co.*

Munder, G. S., Master.—Sound-signals for fog are impracticable owing to the difficulty of locating them, and the confusion they would cause in crowded channels. Slow speed and caution are necessary when two vessels hear each other, and optional use of Article 19 signals sometimes advantageous. To stop is very undesirable, as steam blows off and drowns all sound. Suggests short blasts, blown continuously, as a distress signal.

Worrall, J. P., Master.—Sound-signals would cause confusion. Thinks "moderate speed" (Article 13) should be defined as not exceeding 9 knots.

Cushing, J. A., Master.—Course- or route-signals would cause confusion, but approves of American code, *i.e.*, one blast for "my course is to starboard," two "to port," three "full speed astern," with another signal for "way off" and "stopped." Whistles and horns should be increased in power, and speed reduced in fog.

Brooks, S., Master.—Compass-signals much too complicated; would merely have one blast for port helm and two for starboard. Whistles should be required to be efficient, and "moderate speed" should not exceed 8 knots.

Rigby, C. L., Master.—Entirely advocates the American system, but to render it effective some powerful, clear-sounding instrument must be approved and universally used. Simplicity is the chief point, as prompt action is so necessary.

18. *Kiddle, Captain.*

Sound-signalling impracticable on account of existing general inability to distinguish notes.

19. *Glover Brothers.*

Buchanan, J., Master.—Would not alter the present signals, but would provide five optional ones —viz., PD, and (4) North, South, East, and West—signals by combinations of long and short blasts.

Rainey, A. G., Master.—Approves of Admiral Bowden-Smith's suggestions; also thinks Article 19 signals and PD might be used, but there is much difficulty in locating sounds, especially near high land, which produces echoes. High speed in fog is now a great source of danger. Would not alter sailing-ship signals.

Glover, Terrot, Master.—Thinks it impossible for the average ship-master to devote the time, or acquire the prompt accuracy, necessary for the successful working of a complete sound-signal system. To establish such a system would be to induce more reckless navigation and thus increase danger.

Glover, Thomas, Master.—Thinks what is chiefly required is a definite system for indicating the position of the helm by siren-signals; the main cause of collisions being uncertainty on this point when vessels are nearing each other.

20. *McGregor, Son, and Co.*

Taylor, A., Master.—Is strongly opposed to any alteration, both on account of the utter confusion a sound-signal system would cause in crowded channels, and the difficulty of locating sounds. Would make it criminal to exceed 4 knots in fog. The only safe course for approaching vessels in fog is to slow down and feel their way. Entirely agrees with the reasons given by Sir D. Murray for not having the present Regulations altered.

Duke, W. E., Master.—Would make the use of Article 19 signals, with P D added, compulsory in fog.

21. *Peninsular and Oriental Steam Navigation Company.*

Their Nautical Committee, composed of Lord Sudeley, Director; Captain W. E. Angrove, Marine Superintendent; and Captain J. E. Almond, Nautical Inspector, are strongly convinced that any elaborate system would increase danger, as the exactness necessary for working it is not to be found on board the lower class of merchant-ships. Would simply add P D to present signals. Captain Almond calls special attention to the difficulty of locating sounds and measuring their length.

Tomlin, Barratt, Orman, Reeves, Fraser, Worcester, Stead, Adamson, Loggin, Edwardes, Stewart, Andrews, Harvey, and Angrove, Masters.—All oppose the introduction of any code of sound-signals, chiefly on account of the difficulty of locating sounds in fog and the risk of confusion. Attention is called to the vagueness of the term "moderate speed" by Captain Loggin and Captain Fraser: and Captain Edwardes thinks if Article 19 signals were optional they might be useful when only two steamers were in proximity. Captain Orman remarks that if a vessel had sounded a compass-signal and then had to alter her helm confusion would arise, but he agrees with Sir D. Murray and Sir F. L. McClintock in recommending PD.

Wyatt, Captain.—Approves Admiral Bowden-Smith's suggestions, subject to certain modifications. Present position of whistle is a bad one, as it deafens officer on bridge. Whistle should be at foremast-head.

22. *National Steam-ship Company.*

Their captains do not think it practicable to introduce a system of sound-signals. What is required is to regulate the speed of steam-ships in fog; also more powerful fog-horns for sailing-ships.

23. *Watts, Ward, and Co.*

Graystone, S., Master.—Thinks Rules for fog should allow considerable latitude, and that any code system would cause confusion in crowded waters. Signals should be more powerful.

Valder, R., Master.—Thinks present signals sufficient. It is difficult to locate sound in fog, and a system useful on the ocean might be confusing on English coasts.

Scott, M., Master.—Agrees with foregoing, but suggests four long blasts to indicate "stopped," and five for reply "understood," to be used by two steam-ships when in proximity.

Cox, R. M., Master.—A code would induce false confidence and cause confusion. It is difficult to locate sounds in fog, and difficult in time of anxiety to estimate their duration.

Raeburn, J., Master.—Approves of the compass-signals suggested in paper (A), the port signals in paper (B), and PD signal; any complicated system would cause confusion; all signals should produce uniform sounds. The term "moderate speed" in Article 13 is too vague.

24. *Fenwick, J., and Son.*

Sound-signals would increase danger, especially in crowded water.

Scott, W., Master.—Would extend Article 12 (*a*) by requiring approaching steam-ships to stop and indicate their intended course.

Brown, W. B., Master.—Stern-lights should always be shown, and use of siren prohibited, on account of its similarity to lighthouse-signals.

Watson, J. S.; Munroe, A.; and Hodden, G., Masters.—A system of signals would only cause confusion.

Geary, W., Master.—Stern-light should be made compulsory, and use of siren prohibited. Whistles and horns should be of the best; approaching steam-ships should get their way off and pass cautiously. Present Rules are simple, and this is a great advantage.

25. *London and South-Western Railway Company.*

Edom, F.; Merrett, T.; Mortimer, H. D.; Nutbeem, G. N.; Vanderplank, C.; Dyer, J.; Lainson, T.; Gregory, W.; Bishop, W.; Mabb, R. C.; Heathcote, R., Masters.—Are opposed to the introduction of any system, chiefly on account of the risk of confusion. Five of the foregoing advocate the PD signal, and two call attention to vagueness of term "moderate speed."

Allix, G., Master.—Advocates an eight-course compass-signal, also signal PD. Fog-horns should be more powerful than at present.

Kemp, F. E., Master.—Would make the use of Article 19 signals compulsory in fog.

Lewis, G. H., Master.—The Morse, or some other suitable system, should be used by steam-ships everywhere, but no change necessary for sailing-ships.

26. *Eastern Steam-ship Company.*

Westray and Co.—Would introduce no change except use of PD, and two signals for "up" and "down" rivers; a sound-signal system would cause confusion, induce undue confidence, be difficult to remember, and would render the law concerning navigation very uncertain.

Long, D. C.; Prentice, W. L.; Cox, J. S.; and Scott, T., Masters.—Are opposed to the introduction of any system, chiefly on account of the risk of confusion. Captain Prentice approves of PD, and Captain Cox thinks whistles and horns generally should be improved. Captain Scott says the working of a system would absorb attention to a dangerous extent.

27. *British India Steam Navigation Company.*

Smith, J., Master.—Approves of the eight-point course-signals of Admiral Bowden-Smith. These are simple, and would not cause confusion. Sees no risk of inducing over-confidence, and the difficulty sometimes experienced in locating sound is no real objection.

Avern, I., Master.—Also approves of the eight-point course-signals.

Hutchinson, W. E., Master.—It is difficult to locate sound in fog, and additional signals would only increase risk. If any adopted, they should be course-indicating, and very simple.

Sayers, N. R., Master.—Fully agrees with Sir D. Murray that present Rules should not be altered. Sound-signals would cause confusion.

Hodgkinson, G.—Thinks there should be a voluntary system for steam-ships, and approves of that of Admiral Bowden-Smith. For sailing-ships a signal for indicating the direction of the wind, when abaft the beam, is all that is required.

28. *Irish Steam-ship Association.*

A system of sound-signals would increase danger.

29. *City of Dublin Steam Packet Company.*

Kendall, T. G.; Thomas, J.; Thomson, T.; Chittick, J.; O'Neill, D., Masters; and Watson, W., Superintendent.—Are all opposed to the adoption of a system of sound-signals. The objections are the risk of confusion and the difficulty of locating sounds in fog. Captains Kendall and Thomas think the PD signal might be useful.

30. *Allan Line of Steam-ships.*

Dunlop, N.—Is opposed to any elaborate system of signals, but whistles, &c., should be required to be of sufficient power.

Macnicol, A., Master.—Would merely adopt PD, and increase the power of horns and whistles; a signal system would cause confusion.

Hughes, R., Master.—A course-indicating system is impracticable, but the urgent signals on p. 4 of Memorandum might be adopted, with a signal for reply "understood;" a signal for "not moving" is also required.

Wylie, H., Master.—No additional signals required, but suggests substitution of gong for the bell, as being more penetrating.

Menzies, C. J., Master.—Compass-signals would cause confusion, but approves of Captain Crofton's system. Whistles should be uniform, low tone for ocean—and shrill for coast—trade; one blast for one direction, and two for opposite. Two steam-ships, when approaching, should both slow.

Killop, D. M., Master.—Indorses the opinion of Sir D. Murray and Sir F. L. McClintock, and is opposed to any system of signals, but an optional signal for "up" and "down" channel might be useful.

Stephen, J. G., Master.—Sound-signals would cause confusion. Steam-ships which have had to stop in fog should sound three blasts every two minutes.

Carruthers, R., Master.—Is opposed to the introduction of any system.

Moore, R. P., Master.—Present system is quite sufficient, but advocates use of PD.

Richardson, W., Master.—It is impossible to locate sounds in fog, and any system would cause confusion. Thinks present American system might be extended by adopting three blasts for "stopped," and four for "going astern."

France, J., Master.—A sound-signal system would cause great confusion, and increase collisions. Present signals sufficient.

Dunlop, W., Master.—Does not think any new system necesssary, but approves of PD. There should be a standard minimum of power fixed for whistles.

Watts, R. S., Master.—Few whistles can give sounds uniformly, and it is difficult to estimate duration or direction of sounds. Moreover, a system of signals would induce less careful navigation.

31. *Temperley, Carter, and Darke.*

Think course-signals would increase danger, owing to the difficulty of locating sounds in fog, and the confusion that would arise in crowded waters. Moderate speed should be defined, say, 5 miles per hour.

Jackson, J. E., Master.—Thinks a concise system by means of long and short blasts would be useful for steam-ships, but no change necessary for sailing-ships. The risk of collision will not, however, be lessened unless a strict Rule is made that steam-ships shall not exceed, say, 6 knots in fog. Under present system masters are compelled to run at high speeds, and officers generally are overworked by frequent watches. Steam-whistles should be aloft, as they deafen officers on bridge, and drown signals of other vessels.

32. *Royal Mail Steam Packet Company.*

Armstrong, B. G., Master.—Is opposed to any system, as it is difficult to locate sounds in fog. Slow speed and caution the best safeguards. Present horns of sailing-ships are sufficient.

Dickinson, L. R., Master.—Fully agrees with the proposal of Admiral Sir F. McClintock for allowing the use of a few optional signals, and would reduce the interval for the compulsory Article 12 (*a*) signal to one minute.

Woolward, A., Master.—The variety and uncertainty of the sounds produced by whistles would make any system dangerous.

Gillies, A., Master.—Course-signals would be confusing and dangerous in crowded channels, but useful in the open sea. Article 12 signals should be blown once every minute, and vessels in thick fog should be compelled to stop and blow PD at one-minute intervals.

Brander, J., Master.—Quite agrees with Sir D. Murray and Captain Wilson that a sound-signal system would cause confusion and danger owing to the difficulty of locating sounds; and does not advocate optional signals. Vessels should be compelled to stop dead in fog, &c., only moving to avoid danger.

Gillies, W., Master.—Thinks all vessels should stop in fog, moving only to avoid danger, and then sounding—steam-ships, four whistles of four seconds each, and sailing-ships four similar blasts on fog-horns. But if a moderate speed in fog is allowed, a system of helm and tack indicating signals might be allowed. For steam-ships one blast = "port," two blasts = "starboard," three blasts = "going astern;" and the same for two respective tacks of sailing-ships, with four blasts for "no steerage way," and three for "wind free."

33. *Hall Brothers.*

Steele, J. B., Master.—Would make the use of Article 19 signals compulsory, but otherwise any alteration is unadvisable. Unless thoroughly understood, a sound-signal system would increase danger. Caution is the chief safeguard.

Innes, G., Master.—Would only adopt PD. Any general system would cause great confusion in crowded waters. Sailing-ships often proceed at an 8 to 10 knot speed in fog, and this is a great source of danger.

Aikman, J., Master.—Is opposed to any system of signals on account of the difficulty of locating sounds in fog, the risk of confusion, and of inducing false confidence. Would only adopt Article 19 signals, and make their use general in all waters. All whistles and horns should be inspected; the latter are often very defective.

Carpenter, I. T., Master.—Agrees with Sir D. Murray's objections. Some of the systems proposed would cause great confusion, and could not be carried out with the appliances now in use. PD would be useful. Whistles and horns should be improved and made uniform. Calls attention to the necessity for fixing sailing routes, and to the confusion now caused by the practice of continuously showing a stern-light on board steam-ships.

Hunter, T., Master.—Instead of the present inefficient horns and whistles there should be carried two of each (one high and one low note), the high to be sounded for courses from S.S.W. to N.N.W., the low from N.N.E. to S.S.E., and combinations of high and low for other courses.

Rogers, C., Master.—The systems described in papers (A) and (B) would cause a Babel of sounds in crowded waters. He would only make the use of Article 19 signals compulsory in fog, with four blasts for "stopped" added. Speed in fog should be limited to 3 knots, and sound-signals more powerful.

Satterly, I. T., Master.—Steam-ships should use a siren on outward, and a whistle on homeward, voyage. Any detailed code would be unworkable, as sounds are very imperfectly heard to windward, and if one blast of a code-signal were missed a collision might result. Present sailing-ship signals are sufficient.

Smith, A. R., Master.—Course- or route-signals would cause confusion. Present signals with PD added are sufficient.

Lowrie, W., Master.—All signals should be larger and more effective, and an additional bell should

be carried in the stern of vessels over 300 feet long. Reduced speed should be defined, and copies of rules, &c., *re* road and signals posted in chart-rooms.

34. *British Ship-masters' Association (Hull).*

Any great alteration would cause confusion. They would simply make the use of Article 19 signals compulsory in fog, with one long blast added for "going slowly ahead." Also approve of PD. Sirens should be prohibited on board steam-ships, as their use leads to confusion. All whistles should be uniform. Caution is the chief safeguard in fog.

35. *Henderson Brothers.*

Hedderwick, J., Master.—Thinks an elaborate system could not be worked with certainty, as it is difficult to locate sounds, and confusion and misunderstandings would arise, whilst speed would be increased. Would merely utilize Article 19 signals for fog, &c. These would in some degree conduce to safety.

Young, H., Master.—Thinks Article 19 signals and PD sufficient, and that any general system would cause confusion. The only safe course on hearing a steam signal ahead in fog is to stop. The interval between the blasts (Article 12 (*a*)) should be reduced from 2 minutes to 30 seconds.

Craig, J., Master.—Sir D. Murray's paper (C) fully meets his views. It is difficult to locate sounds in fog, and a code of signals would cause confusion. The insufficient power of the horns of sailing-ships is the greatest source of danger.

Harris, J., Master.—A system of compass-signals would cause confusion. The two first of Article 19 signals should be made compulsory, and when two steam-ships are meeting, the first to signal "port" or "starboard" should hold the course signalled, the other being bound to steer accordingly or stop. All sailing-ships should have equally powerful horns.

Wilson, J., Master.—Any elaborate system would cause confusion, but Article 19 signals might be used as they are at present in America. The power of whistles should be increased, some being inaudible except at short distances.

McFee, R., Master.—Compass-signals would cause confusion, but all steam-ships should use the siren or graduated whistle, and sound a series of howls for port helm and of toots for starboard. Three long blasts to be used when overtaken or for going astern.

36. *Scottish Ship-masters' Association.*

Braes, Master (State Line).—Any elaborate system would cause confusion. Would merely legalize use of Article 19 signals, with PD added, in fog. Vessels approaching each other in fog should be compelled to stop and feel their way.

Lindquister, Master.—All steam-ships should carry sirens and make long howls for starboard, and series of toots for port, courses in fog, with distinct three-blast signals for "going astern" and "stopped." But these signals should be optional, as their compulsory use would cause confusion in crowded channels. Is opposed to any system of course- or route-signals.

Renfrew, Master.—Any compulsory system would increase danger. Would merely add PD, and increase the power of whistles, &c.

Howling, Master.—Many of the suggested systems made would lead to utter confusion. Would merely adopt (permissively) Article 19 signals with PD added, and improve the power of whistles, &c.

Parker, R., Master.—Expresses similar views to the foregoing, except that he would adopt only the three-blast (Article 19) signal and PD for fog.

White, H., Master.—Would merely adopt Article 19 signals and PD for use in fog. Anything more would increase danger in crowded waters.

37. *Amalgamated British Seamen's Protection Society.*

Advocate the adoption of Mr. Jeffries' eight-course signal system, consisting of combination of long and short blasts with two seconds intervals.

38. *Dublin Local Marine Board.*

Do not advocate any code of fog-signals, but think it would be well if a signal could be provided to indicate which of two meeting ships should stop and allow the other to proceed.

Cunard. *M.* 15648.

No change. Advise the adoption of signal PD. Difficult to hear fog-horns. They are not loud enough.

Appendix (C).

Report of Committee on Sound-Signals.

Experiments made in Holland about Force and Duration of a Sound-Signal, by M. Lefèbre

A STEAM-WHISTLE of 2 inches in diameter requires a pressure of about two atmospheres in order to make the sound heard at the distance of 1 kilom. ($\frac{5}{9}$ of a knot), whereas a steam-whistle of 6 inches in diameter with a pressure of six atmospheres makes its sound heard at a distance of 14 kilom. (about 7 miles). If, however, the whistle be placed in a horizontal position within a reflector, the 2-inch whistle can be heard at 4 kilom. (2·2 miles), which is about the same as the distance at which the side-lights throw their lights.

As a fixed reflector might be considered against the Rules, the apparatus might be made to revolve. The arrangement to effect this is very simple.

Another theory of his is that a sound wants at least from six to eight seconds to enable it to be heard; consequently, the duration of the sound or blast should not be fixed at a less minimum. It may be that the meaning is the first sound or blast ought to have this duration to well attract the attention.

With regard to the weights in the bellows, he states that an instrument with a pressure of 11 lbs., placed in a nearly horizontal position, and provided with a suitable reflector, can be heard at a distance of 4 kilom. (2·2 miles), and with a pressure of 18 lbs., at a distance of 14 kilom. (about 7 miles). In order to distinguish between steam-ships and sailing-vessels, all steam-whistles should produce the same tone, and all fog-horns also the same tone, but a little higher. By comparing the sound heard with the sound of the instrument on board one's own ship, it will be easy to ascertain whether a steam-ship or sailing-vessel is approaching.

In case it should be deemed advisable to distinguish between signals from the shore or from a ship, either the ship or the shore might be required to produce a double sound simultaneously.

With a bell of 8 inches, as now generally in use, the sound travels only as far as 600 metres ($\frac{1}{3}$ of a mile), and it requires a bell of a weight of 80 kilog. to transmit the sound at a distance of 1,500 metres ($\frac{5}{6}$ of a mile).

The sound of a movable bell (*i.e.*, when the tongue or clapper is fixed) travels farther than when the reverse is the case.

Appendix (D) to Report of Committee on Sound-Signals.

Order of Reference to the Committee.

At the Council Chamber, Whitehall, this 20th day of December, 1887.

Present:

The Right Hon. Lord Stanley of Preston, G.C.B., &c.

THE Board of Trade are pleased to appoint the following gentlemen, viz.:—

Thomas Gray, Esq, C.B., Assistant Secretary, Marine Department, Board of Trade (Chairman);
Captain H. M. Hozier, Secretary to Lloyd's;
*Robert Jackson, Esq., Registrar-General of Shipping and Seamen;
Admiral Sir F. L. McClintock, F.R.S., an Elder Brother of the Trinity House;
Sir Digby Murray, Bart., one of the Professional Officers of the Board of Trade;
Rear-Admiral Sir George S. Nares, R.N., K.C.B, one of the Professional Officers of the Board of Trade;
†Captain Bowden-Smith, R.N.;
Captain C. P. Wilson, I.N., Principal Officer of the Board of Trade for the London District;

to be a Committee to undertake and to report upon the following matters, viz.:—

1. To bring the International Signal Book up to date.
2. To report whether the time has arrived when it may be deemed desirable to establish a system whereby the signals in the International Code Book may be made by night as well as by day.
3. To report whether there is a general demand on the part of the mercantile marine for such a system, and, if so, what system should be adopted.
4. To report (if a system whereby the signals in the International Code Book could be made at night were established) whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another closely at night for the purpose of signalling.
5. To report whether there ought to be any, and, if so, what, restrictions on the use of night signals, especially in crowded waters, as, for instance, the English and Irish Channels.
6. If the Committee do not recommend the establishment of any general system of night signals,

* Since resigned. † Now Rear-Admiral.

to report whether it is, in their opinion, desirable (in addition to the present distress signals) to establish some special warning signals to indicate danger to passing vessels, *e.g.* :—

"I am in need of immediate assistance,"
"You are standing into danger,"
"I have encountered ice,"
"I have passed a derelict dangerous to navigation,"

or any other warning signals in the interest of safety; and, if so, what those signals should, in their opinion, be, and by what means they should be made.

The Board of Trade are also pleased to appoint Walter J. Howell, Esq., to be Secretary to the Committee.

(Signed) STANLEY OF PRESTON.

INTERIM REPORT TO THE SECRETARY OF THE BOARD OF TRADE.

Sir, 7, *Whitehall Gardens, London, January* 15, 1889.

In compliance with the request of the late President of the Board of Trade, Lord Stanley of Preston, we have carefully considered the matters referred to us by his Lordship's Minute of Reference of the 20th December last (of which a copy is prefixed), and we have now the honour to submit our *interim* Report upon the two salient points covered by the same, viz. :—

1. *The Revision of the Signal Book.*

In order to take effective steps to bring the International Signal Book up to date, three of our number, viz., Sir Digby Murray, Sir George Nares, and Admiral Bowden-Smith, were deputed to be a Sub-Committee to undertake this duty, with the assistance of Captain Key, R.N., of the Board of Trade London Staff. A revised copy of the book,* showing in detail the alterations proposed, is submitted herewith (marked A), together with a short explanatory Memorandum (marked B), prepared by Admiral Bowden-Smith, in order to indicate clearly the nature of the changes suggested for the improvement of the arrangement of the book, and for bringing it up to date.

We have set out the signals of distress by themselves in an inclosure (marked C), and also nine important urgent signals, in an inclosure (marked D).

We have rearranged important two-flag signals, as shown in an inclosure (marked E).

These will all be printed in a permanent place at the beginning of the Signal Book in the order in which we have given them.

We are unanimously of opinion that the alterations and additions we propose will, if adopted, materially increase the usefulness of the Signal Book. It will, however, be necessary to invite and consider the opinions of foreign and Colonial Governments on the subject, and, with that object in view, we think that the book should be set up in type in its revised form, and we suggest that a copy should be sent to the Government of each Maritime State for its concurrence before any further steps are taken in the matter. When replies have been received from the several foreign and Colonial Governments, we propose to again meet in order to consider any representations that may be made, and to prepare and submit our Final Report for your consideration.

2. *The question of Night Signalling.*

We have taken steps to ascertain whether there is a general demand on the part of the mercantile marine for the establishment of some system whereby the signals in the International Code Book may be made by night as well as by day. A copy of a letter of inquiry, issued by our directions (together with a summary of the replies received to the same), is appended (marked F).

So far as we have been able to ascertain at present, there appears to be no general demand on the part of the mercantile marine for the establishment of a general system of night signalling. At the same time, we think it advisable to adopt some plan by which a few urgent and important signals may be made by night as well as by day. The signals we have selected for this purpose are shown in the accompanying paper (marked D).

These signals may be made at night or during fog, either by flashes of white light or by a combination of long and short sounds on the steam-whistle, fog-horn, siren, bugle, &c. In the daytime they will be made by flags. The methods of making these signals are shown in detail in Inclosure (D).

Since the date of Lord Stanley of Preston's Minute of Reference the Board of Trade have requested us also to consider and report upon the following points:—

"Whether, in the interests of safety, it is desirable to establish a system of sound-signals to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding."

"Whether, on the same grounds and for the same purpose, it is necessary to establish a system of sound-signals to be used by sailing-vessels under like circumstances."

"Whether such system should be limited to crowded waters and narrow seas near coasts, or whether it should he extended to the open seas also."

"If any system is deemed by the Committee to be practical, what that system is."

* The revised book is at present at the Board of Trade.

These matters will accordingly receive our careful consideration, and will be referred to in our Final Report.

We have, &c.

(Signed) THOMAS GRAY, *Chairman.*
HENRY M. HOZIER.
F. L. McCLINTOCK.
D. MURRAY.
G. S. NARES.
N. BOWDEN-SMITH.
CHARLES P. WILSON.

(Signed) WALTER J. HOWELL,
Secretary.

To the Secretary,
Board of Trade.

Inclosure (A).

The Revised Signal Book (at present at the Board of Trade).

Inclosure (B).

Memorandum by Admiral N. Bowden-Smith, showing the Changes proposed for the Improvement of the Arrangement of the Signal Book, and for bringing it up to date.

1. It is proposed that the British national colours should be omitted from the place they now occupy opposite the title-page, and that certain signal-flags shown in the book should be printed in that position.

2. That the "Contents" and "Introduction" should be corrected in accordance with the changes made, and that a few notes shown in an inclosure (marked E) should be inserted against the Report of the Committee of July 1855.

3. That as the national colours printed after p. xvi are incomplete, a new and corrected set of colours should be prepared, and that where the colours worn by merchant-ships differ from those worn by men-of-war both flags should be shown.

4. That the selection of sentences for the use of vessels, &c., should be omitted from the page preceding the general signals; that the distress signals should be printed in conspicuous type at the top of that page, and that the signals for a pilot should be printed under them on the same page.

5. It is also proposed that the two-flag signals should be regrouped and considerably extended; that they should be headed "Urgent and Important Signals," and that NC should be placed in the first group as well as in its proper position. Also that where a signal is repeated (such as VL under "Boats") it should be printed in italics. It is further suggested that a few signals should be introduced which could be made at night or during fog, so that if at any future time it should be considered desirable to introduce a system of night signalling, this may be done without necessitating a further revision of the Code signals.

6. That the three-flag signals should be revised and several new ones added relating to cargo, convoy, diver, interpreter, telegraph cable, torpedoes, &c. The obsolete nationalities at p. 12 and following pages should be omitted, and the names of other Powers substituted as indicated.

Section VII, p. 38, relating to boilers and machinery, should be considerably altered as shown, and it is proposed that the Table of current coins, &c., now printed at p. 69, should in future follow p. 72, and that in view of the difficulty of keeping the equivalent values correct, they should in future be omitted from the Table.

7. That one geographical list (arranged alphabetically), as reprinted, should be inserted at the end of Part I of the Signal Book, and that the second list, at p. 173 (Part II) should be abolished.

8. That the four-flag signals under "Vocabulary," in Part II, should be amended throughout, and that several important words hitherto omitted should be inserted, as indicated throughout the list.

9. That new significations should be adopted for distant signals, as indicated at p. 206, Part III.

10. That the book should be paged consecutively from beginning to end, instead of commencing again at Part II, and that if advertisements are inserted at all, in future they should all be printed at the end of the volume, instead of at both ends, as at present.

11. That the names of the men-of-war of the leading Maritime States to which symbols have been assigned should be printed in future in the Code list bound up at the end of the Signal Book.

Inclosure (C).

DISTRESS SIGNALS.

The following signals are alone deemed to be signals of distress :—

In the daytime.—The following signals, numbered 1, 2, and 3, when used or displayed together or separately, shall be deemed to be signals of distress in the daytime :

1. A gun fired at intervals of about a minute ;
2. The International Code signal of distress, indicated by NC ;
3. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

At night.—The following signals, numbered 1, 2, and 3, when used or displayed together or separately, shall be deemed to be signals of distress at night :

1. A gun fired at intervals of about a minute ;
2. Flames on the ship (as from a burning tar-barrel, oil-barrel, &c.) ;
3. Rockets or shells, of any colour or description, fired one at a time, at short intervals.

NOTE.—It will be seen that we have also provided that the signal NC may be made during day or night by a rocket or shell which bursts in the air with a loud report.

PILOT SIGNALS.

TO BE MADE BY SHIPS WANTING A PILOT.

In the daytime.—The following signals, numbered 1 and 2, when used or dislayed together or separately, shall be deemed to be signals for a pilot in the daytime, viz. :—

1. To be hoisted at the fore, the Jack, or national colour, usually worn by merchant-ships, having round it a white border, one-fifth of the breadth of the flag ; or
2. The International Code pilotage signal indicated by PT.

At night.—The following signals, numbered 1 and 2, when used or displayed together, or separately, shall be deemed to be signals for a pilot at night, viz. :—

1. The pyrotechnic light commonly known as a blue light, every fifteen minutes ; or
2. A bright white light, flashed or shown at short or frequent intervals just above the bulwarks for about a minute at a time.

Inclosure (D)

URGENT OR IMPORTANT SIGNALS which may be made at Night or during Fog, either by flashes of White Light or by a combination of long and short sounds on the Steam-whistle, Fog-horn, Siren, Bugle, &c. In the daytime they will be made by Flags.

Instructions for the Use of Flashing or Sound Signals.

(1.)

With flashing signals the lamp must always be turned towards the person addressed.

(2.)

To attract attention, a series of rapid short flashes or sounds should be made and continued until the person addressed gives the sign of attention by doing the same.

If, however, it is supposed that the person addressed cannot reply, the signal may be made after a moderate pause, or, under certain circumstances, the communication may be made direct without preparatory signs.

(3.)

After making a few rapid short flashes or sounds as an acknowledgment, the receiver must watch, or listen attentively until the communication is completed, when he must make the sign indicated below, showing that the message is understood.

(4.)

If the receiver does not understand the message, he must wait until the signal is repeated.

(5.)

Duration of short flashes or sounds	1 second.
„ long „ „	3 seconds.
Interval between each flash or sound	1 second.
Answer, or "I understand" ... ... — - — - — - — -	&c.

Signals.

NP	I want assistance. Please remain by me	- —
JK	You are standing into danger	- - —
PG	Beware of derelict, dangerous to navigation	- - - —
QC	Have encountered ice	- — —
PD	The way is off my ship, you may feel your way past me ...	- — -
JB	Stop, or heave to; I have something important to communicate ...	- — - -
PR	Am disabled. Communicate with me	- — -

When a vessel is in "tow," the following flashes or sounds may be made from her to the tug or towing vessel:—

KR	Steer more to port	- -
KS	Steer more to starboard	-

Inclosure (E).

URGENT OR IMPORTANT SIGNALS.

(To be made by two Flags.)

Note.—NC should only be hoisted when vessel is in extreme danger (*see* "Merchant Shipping Act, 1873," section 18.)

ASSISTANCE.

NC	IN DISTRESS. WANT IMMEDIATE ASSISTANCE.
	(*This Signal may also be made by day and by night with a rocket or shell which bursts in the air with a loud report.*)
HB	Vessel indicated wants immediate assistance
HC	No assistance can be rendered.
HD	We are coming to your assistance.
HF	Am on shore. Likely to break up. Require immediate assistance.
HG	Do you require further assistance?
HJ	Do not require further assistance. (*See* WANTS.)

BOATS.

HK	Send a boat.
HL	No boat or boats available.
HM	Boat in distress, adrift, or capsized.
HN	Do not attempt to land in your own boats.
HP	I am sinking, or on fire; send all available boats to save passengers and crew.
HQ	Send life-boat to save crew.
HR	Boat is going to you.
VL	*Want or wants boat or boats immediately.*

COMMUNICATE.

HS	Close.
HT	Allow no person on board. Allow no communication.
HV	Be very careful in your intercourse with strangers.
HW	Open, or "Proceed on your voyage."
JB	Stop, or heave to; I have something important to communicate.

DAMAGE OR ACCIDENT.

JC	Damaged or sprung mast; cannot carry sail.
JD	Damaged rudder; cannot steer.
JF	Have lost all boats. Can you take crew off?
JG	Accident; want a surgeon.
JH	Man overboard. (*See* DISABLED STEAMER.)

DANGER OR CAUTION.

JK	You are standing into danger.
JL	You are in a dangerous or unsafe position.
JM	You are within reach of the guns, or of batteries.
JN	The attempt is dangerous.
JP	Appearances are threatening; be on your guard.
JQ	Stranger (*or vessel indicated*) is suspicious.
JR	Bar is impassable.
JS	Have obtained soundings.
JT	Am aground.

DIRECTIONS TO A VESSEL UNDER WAY.

JV	Stand off; get an offing.
JW	Tack instantly.
KB	Increase speed. Make more sail.
KC	Stop engines. Heave to.
KD	Go astern. Heave all aback.
KF	Reduce speed. Shorten sail.
KG	Stand on.
KH	Bear up instantly.
KJ	Wear instantly.
KL	Not room to wear.
KM	Heave to, head off shore.
KN	Haul your wind on starboard tack.
KP	Haul your wind on port tack.
KQ	Keep to windward.
KR	Steer more to port. (*To be kept flying until course is sufficiently altered.*)
KS	Steer more to starboard. (*Ditto.*)
KT	Steady the helm.
KV	Steer after me.
KW	Steer course indicated.
LB	Channel dangerous without a pilot.
LC	Buoys or marks are not in their proper position.
LD	Leave the buoy or beacon to port.
LF	Leave the buoy or beacon to starboard.
LG	Keep on the port shore or side of channel.
LH	Keep on the starboard shore or side of channel.
LJ	Keep in the centre of channel.
LK	Do not anchor on any account.
LM	Do not come into less than —— feet.
LN	Run on the beach. Beach the vessel where flag is waved or light shown.
LP	Anchor instantly.
LQ	Anchor as convenient.

DIRECTIONS TO A VESSEL AT ANCHOR.

LR Hoist the Blue Peter.
LS Get steam up (report when ready).
LT Keep steam ready.
LV Steam is ready.
LW Weigh and proceed as ordered.
MB Weigh, cut, or slip; get an offing.
MC Veer more cable.
MD Let go another anchor.
MF Shift your berth; your berth is unsafe.
MG Cut away your masts.
MH Hold on until high water.
MJ You will be aground at low water.
MK Lose no time in shoring up.

DIRECTIONS FOR SAVING CREW.

ML Remain by the ship.
MN Quit the vessel as fast as possible.
MP Do not quit the ship until the tide has ebbed.
MQ Landing is impossible.
MR Look out for rocket line.
MS Endeavour to send a line.
MT Boat should endeavour to land where flag is waved or light shown.
MV Look out will be kept on the beach all night.
MW Lights or fires will be kept at the best place for coming on shore.
NB Keep a light burning.

DISTRESS.

NC IN DISTRESS. WANT IMMEDIATE ASSISTANCE.
(*This Signal may also be made by day and by night with a rocket or shell which bursts in the air with a loud report.*)
ND Cannot save the ship. Take people off.
NF I must abandon the vessel.
NG Rudder disabled. Will you assist me into port indicated?
NH Ship disabled. Will you tow me into port indicated?
NJ I am unmanageable.
N I am in danger, or shoal water; direct me how to steer.
NL I am driving; no more anchors to let go.
NM I am attacked; want assistance.
NP I want assistance. Please remain by me.
NQ I will remain by you.
NR I have sprung a leak.
NS Leak is gaining rapidly.
NT I am sinking.

COLLISION, SHIPWRECKED CREW, &c.

NV Have been in collision.
NW Vessel seriously damaged; wish to transfer passengers.
PB Have you been in collision?
PC Has the vessel with which you have been in collision proceeded on her voyage?
PD The way is off my ship, you may feel your way past me.
PF Have shipwrecked crew on board; will you let me transfer them to you? (*Number to Follow, page* 73.)
NT *I am sinking.*

DERELICT SHIP.

PG Beware of derelict, dangerous to navigation.
PH Have you seen derelict?
PJ Saw derelict in lat. ——, long. ——.
For lat. and long., see pages 21–24.
Date to follow if necessary, page 28.

DISABLED STEAMER REPORTING DAMAGE.

PK Engines completely disabled.
PL Engine disabled, can repair do. in —— hours. (*Number to follow, page* 73.)
PM Have broken main shaft.
PN Have lost screw, or screw disabled.
PQ One screw disabled; can work the other.
PR Am disabled, Communicate with me.

DRAUGHT OF WATER AND PILOT.

PS What is your draught of water?
PT Want (or wants) a pilot; can one be obtained? (Answer "Yes" or "No.")

FIRE.

PV I am on fire.
PW With immediate assistance fire can be extinguished.
QB Fire is extinguished.
(*See* BOATS. DISTRESS.)

ICE SIGNALS.

QC Have encountered ice.
QD Have passed ice in latitude and longitude indicated. (*See pages* .)
QF Ice between 30° and 35° of long.
QG Ice between 35° and 40° of long.
QH Ice between 40° and 45° of long.
QJ Ice between 45° and 50° of long.
QK Ice between 50° and 55° of long.
QL Ice between 55° and 60° of long.
QM Ice between 60° and 65° of long.

LETTERS AND MAILS.

QN Will you take letters?
QP Have you letters, mails, or despatches for me or vessel indicated?
QR Have letters, mails, or despatches for you (*or vessel indicated*).

LIGHTERS.

QS Require lighter, or lighters. (*Number to follow if more than one, page* 73.)
QT Lighter, or lighters, are going to you.
QV There are no lighters available.
QW Lighter is adrift.

MAST-HEAD AND SIDE LIGHTS.

RB Your mast-head light is out, or wants trimming.
RC Your port side light is out, or wants trimming.
RD Your starboard side light is out, or wants trimming.

ORDERS, REPORTING SHIP.

RF Where are you from?
RG Where are you bound?
RH Indicate name of signal station.
RJ Your original orders are cancelled. I am directed to inform you to proceed to ——. (*Geographical Table, see page* 81.)
RK Your orders are at ——.
RL Proceed to port indicated. (*Geographical Table, page* .)
RM Shall I telegraph your owners?
RN I will telegraph for your orders if you will wait reply.
RP I have telegraphed for your orders.
RQ Can you await reply?
RS Will await reply.
RT I have orders to telegraph your passing.
RV Have you any message or telegraphic communication for me?
RW Report me to owners.
SB Report me to Lloyd's.
SC Send my message by signal letters instead of writing it at length.
SD Forward reply by telegraph to signal station indicated. (*Geographical Table, page* .)

PILOT.

PT *Want (or wants) a pilot; can one be obtained?* *Answer "Yes" or "No."*)

POSITION OF SHIP, LAT. AND LONG.

SF What is my position by bearings?
SG What is the name of lighthouse, or lightship, in sight, or on bearing indicated?

	POSITION OF SHIP, LAT. AND LONG.—(*continued*).		TOWING, OR BEING TOWED—(*continued*).
H	What is your latitude at present time? (*For Latitude Table, see page* 21.)	TS	Reduce speed, you are towing me too fast.
SJ	What is your longitude at present time? (*For Longitude Table, see page* 23.)	TV	You can proceed at any speed.
		TW	Veer more of the towing cable, or cables.
	SIGNAL FLAGS, SEMAPHORE CIPHER.	VB	Shorten in towing cable, or cables.
		VC	Cast off towing cable, or cables.
SK	Repeat ship's name; your flags were not made out.	VD	Towing cable, or cables, is, or are, cast off.
SL	Repeat your signal, or place it in a more conspicuous position. It is not understood.	VF	Towing cable, or cables, is, or are, damaged or stranded.
SM	Cannot make out your flags, come nearer, or make distant signal.*	VG	Stop engines to adjust towing cables.
SN	Repeat signal from word indicated.	*JH*	*Man overboard.*
SP	I am going to repeat signal from word indicated.	*KR*	*Steer more to port.* (*To be kept flying until course is sufficiently altered.*)
SQ	You may work the semaphore.	*KS*	*Steer more to starboard.* (*Ditto.*)
SR	Following signal (or communication) is in cipher.†		
ST	Give me the key to cipher.‡		WANTS.
SV	Cipher is ended.	VH	Want water immediately.
		VJ	Want (or wants) assistance; mutiny.
	STEAM WHISTLE OR SIREN.	VK	Want (or wants) immediate medical assistance.
		VL	Want (or wants) boat or boats immediately.
SW	Blow steam whistle or siren at intervals.	VM	Want (or wants) provisions immediately.
TB	Shall signal with steam whistle, or siren, during fog or darkness.	VN	Want (or wants) coal immediately.
		VP	Want (or wants) an anchor.
	TORPEDO; TORPEDO-BOATS.	VQ	Want (or wants) an anchor and cable.
		VR	Want (or wants) a cable.
TC	Is there danger of mines or torpedoes?	VS	Want (or wants) police.
TD	Beware of torpedoes. The channel is mined.	VT	Want (or wants) steam-tug or tugs. (*If more than one, number to follow, page* 73.)
TF	Beware of torpedo-boats.	VW	Want (or wants) immediate instructions.
TG	Have you seen torpedo-boat or boats?	WB	Want (or wants) hands.
TH	Saw torpedo-boat, or boats, at, or near ——. (*Geographical Table, see page* 81.)	WC	Want chart or plan of channel, harbour, &c.
		WD	
	TOW, TUGS.		WAR NEWS.
TJ	I wish to be taken in tow.	WF	Is war declared, or has war commenced?
TK	Shall I take you (*or ship indicated*) in tow?	WG	War is declared, or has commenced.
TL	Will take you (*or ship indicated*) in tow.	WH	War between —— and ——.
TM	Cannot take you (*or ship indicated*) in tow.	WJ	Armistice has been arranged.
TN	Tug is going to you.	WK	Is peace proclaimed?
TP	There are no tugs available.	WL	Peace is proclaimed.
NH	*Ship disabled; will you tow me into port indicated?*		
VT	*Want or wants steam-tug or tugs.*		WEATHER.
		WM	What is weather forecast?
	TOWING, OR BEING TOWED.	WN	No weather report.
		WP	North cone hoisted.
	See also under "Hawser" and "Tow," Alphabetical Table.	WQ	South cone hoisted.
		WR	Bad weather is expected. (*See* Compass Signals.)
TQ	Are towing cables, or is cable, fast?	WS	Storm centre (in direction indicated); probable course towards (direction indicated).
TR	Towing cable, or cables, is, or are, fast.	WT	
		WV	

Inclosure (F).

Abstract of Replies received to the following Letter, dated January 20, 1888.

SIGNALS.

Board of Trade (*Marine Department*), *London*,
January 20, 1888.

I have the pleasure to forward, for your information, the inclosed copy of the Order of Reference to the Committee which has been appointed by Lord Stanley of Preston to consider and report upon questions affecting the International Code of Signals.

The Committee are very desirous of obtaining the opinions of ship-owners, and of the mercantile marine generally, upon the points referred to in paragraphs 2, 3, 4, 5, and 6 of the Order of Reference, and I am to request that you will be good enough to favour me (for the information of the Committee), and at as early a moment as may be convenient to you, with any observations in the matter which your experience, or that of the officers in your employment, may enable you to offer.

I am, &c.
(Signed) THOMAS GRAY,
Chairman of the Committee.

* See Distant Signal Code, page 206, Part III. † Cipher will continue until the person signalling hoists SV.
‡ This may be prearranged, &c.

Reference.

Upon the following matters, viz. :—

1. To bring the International Signal Book up to date.

2. To report whether the time has arrived when it may be deemed desirable to establish a system whereby the signals in the International Code Book may be made by night as well as by day.

3. To report whether there is a general demand on the part of the mercantile marine for such a system, and, if so, what system should be adopted.

4. To report (if a system whereby the signals in the International Code Book could be made at night were established) whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another closely at night for the purpose of signalling.

5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters, as, for instance, the English and Irish Channels.

6. If the Committee do not recommend the establishment of any general system of night signals to report whether it is, in their opinion, desirable (in addition to the present distress signals) to establish some special warning signals to indicate danger to passing vessels, *e.g.* :—

"I am in need of immediate assistance,"
"You are standing into danger,"
"I have encountered ice,"
"I have passed a derelict dangerous to navigation,"

or any other warning signals in the interest of safety; and, if so, what those signals should, in their opinion, be, and by what means they should be made.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Devitt and Moore	Jan. 23, 1888	Thinks it would be a good thing to have night signals placed on a proper footing.				
MacIver, C.	Jan. 25, 1888	Yes. Thinks such a system should be arranged.	Very little occasion for it in time of peace. Recommends system of Captain Walls and Lieutenant Sellners.	Does not anticipate additional danger.	As the advisability of communicating by night occurs so seldom, is undesirous of placing special restrictions on masters.	Yes; by lamps. For distress signals, only rockets or port fires should be used.
Shaw, Savill, and Albion Company (Limited), per J. McKirby, Marine Superintendent.	Jan. 28, 1888 Feb. 3, 1888 Feb. 6, 1888	No .. .. (Thinks vocabulary needs altering, so that sentences bearing on the same subject should be grouped together.)	Is not aware of any demand. Recommends the Morse system, if any is adopted.	Yes, decidedly; by diverting attention of the officer of the watch.	Such restrictions would render any system valueless.	Thinks the Roman candle should be used solely for urgent international (and not for private) signalling. For certain signals, suggests combinations of red, white, and green stars, which could be discharged from a revolver.
Inclosure. Evans, E. J., Chief Officer.	..	Thinks such a system would be little used, as he has never seen even the present distance signals used.	A system worked by lights would be more confusing than useful.	Would not increase safety, and would probably lead indirectly to accidents.	Signals should not extend beyond the present private signals, and an extension of danger or distress signals.	Rockets as private signals should be abolished. Suggests a code of eighteen danger and distress signals commencing with a rocket. (Is prepared to draw up a more detailed code.)
General Ship-owners' Society ..	Jan. 30, 1888	No	No general demand	Think there is great danger in the multiplication of lights.	..	Recommend a rocket of a distinct character as a "caution" and "distress" signal, and strongly urge that the use of rockets for any other purpose should be forbidden.
Orient Steam Navigation Company (Limited).	Jan. 31, 1888	Not desirable.	No demand	Would in all probability cause confusion.	Any use of night signals in crowded waters would probably result in disaster.	Present distress signals ample.
Union Steam-ship Company (Limited).	Jan. 31, 1888 Apr. 9, 1888	Submit the opinions of their senior commanders.				
Inclosure No. 1. Larner, G., Master Mariner	..	No	No general demand	Yes..	Does not approve of a general system of night signalling, but if adopted, thinks it should be restricted in crowded waters.	Thinks warning signals of extraordinary importance desirable, but is not prepared to suggest their character.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Union Steam-ship Company (Limited) (*continued*).						
Inclosure No. 2. Bainbridge, W., Master Mariner.	..	Yes..	A general demand only among the higher grades in the service. Recommends the "Morse" system applied by means of flags by day, lamps by night, and steam-whistle in fog.	No	Yes, at first; until the system is well established.	Strongly recommends the four signals mentioned.
Inclosure No. 3. Griffin, E., Master Mariner.	..	Yes..	Thinks there is a growing demand	No	Should be restricted to urgent signals only, which should be clearly laid down.	Yes; a few urgent ones should be clearly laid down.
Inclosure No. 4. Hoste, H. S., Master Mariner.	..	If the time has not arrived, thinks it soon will.	Has never found need for night signals, but if adopted, should recommend the "Morse."	No	Vessels do not find it necessary to signal in crowded waters except on very special occasions.	Yes; by means of a rocket or a rocket signal, followed by combinations of three or four lights.
Inclosure No. 5. Leigh, R. A., Master Mariner.	..	Yes..	Is not aware of a general demand. If a system were adopted, suggests the flash system.	No need for close approach with the flash system.	Must be considered when the system is decided upon.	Recommends four urgent signals to be made by means of cannon and rockets, avoiding lanterns.
Inclosure No. 6. Owen, H., Master Mariner.	..	Yes..	Yes; by means of the flashing system with a good lantern.	No; as the ship in danger could signal "You are approaching me too closely."	No; but to avoid crowding off signal stations, pyrotechnic signals should be used as at present.	Yes; by means of blue, white, and red pyrotechnic fires.
Inclosure No. 7. Travers, H. D., Master Mariner.	..	Yes..	Yes. Recommends "Morse" flashing system.	No	No	Recommends three additional distress night signals made by means of red globe lamps, and red and green fires. By day a black ball to be hoisted in addition to flag signals. At present many private signals too closely resemble the statutory distress signals.
Inclosure No. 8. McLean, W. A., Master Mariner.	..	No	No	Yes; if night signals are used generally.	If adopted, should be restricted to urgent cases only.	Yes; by means of combinations of white lights.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Peninsular and Oriental Steam Navigation Company.	Feb. 1, 1888	Think it doubtful, as the subject does not form a part of Board of Trade examination of masters and mates for certificates. Recommend system of flashing lights for night signalling as in Royal Navy, but think about three years' notice would be necessary, so that applicants for, and holders of, certificates could be examined in the interval.	Are not aware of any general demand. Rather the contrary.	There is some element of danger, but not to any great extent.	Yes. Must be restricted, and only used in cases of great emergency. Disapprove of multiplication of lights.	A few, not exceeding six, additional signals would be of advantage—to be used only in extreme circumstances, and made by means of bright and coloured lamps, vertical, horizontal, and diagonal, with a detonating signal to attract attention.
New Zealand Shipping Company (Limited), per Hallett, E. V., Marine Superintendent.	Feb. 3, 1888	Thinks a few simple ones, to be used in cases of great emergency, would be of great advantage.	Thinks there is no general demand.	There would be some, but not to any extent.	Such signals should be used only in cases of great emergency.	Yes; by means of bright and coloured lamps, vertical, horizontal, and diagonal, with a detonating signal to attract attention. Recommends Colomb's flashing lights, and thinks a knowledge of this system should be encouraged, it being little understood at present.
MacGregor, Jas. .. .. (MacGregor, Gow, and Co.)	Feb. 8, 1888	No general desire to extend the system of signals in the International Code Book to the night.		Great danger might arise ..	Such restrictions would be difficult	Recommends special warning signals to indicate where danger might be apprehended.
Ismay, Imrie, and Co. ..	Feb. 8, 1888	No	Not aware of any	Yes..	Only signalling of the most necessary kind should be allowed in crowded waters.	It may be desirable. If so, think that signals of distress, warning, or urgent need might be made at night by means of white and red lamps.
London and North-Western Railway Company.	Feb. 9, 1888	Yes..	If a demand is found to exist, recommend a portable flashing lamp on the "Morse" system.	Do not anticipate any	Think that when officers know where they are and tugs are plentiful the signals would not be much used.	Yes.
Cunard Steam-ship Company (Limited).	Feb. 11, 1888	Not desirable..	..	..	..	No.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3 If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Henderson Brothers .. .. (Anchor Line.)	Feb. 13, 1888	Yes. They also submit Reports of three of their experienced commanders, who have not communicated with each other on the subject.	Yes. The dot and dash telegraphic code exemplified by means of coloured flashing lights.	Yes, to some extent. In order to obviate danger and prevent delay recommend that a ship desiring to signal should make the wish known by firing guns.	No; provided that the firing of the signal gun precedes signalling.	Recommends six warning signals on dot and dash system.
Inclosure No. 1. Brown, W., Master Mariner.	..	Recommends the dot and dash system for signals in which the Code is deficient. At night, by flashes. In fog, when under weigh, by blasts. In fog, at anchor, by bell. These could be repeated by the other ship to insure accuracy.				
Inclosure No. 2. Campbell, A., Master Mariner.	..	Yes..	Yes; and suggests the "dot and dash" system.	Yes; and, therefore, the utmost caution would be necessary in their use.	Utmost care would be necessary in the use of light and sound signals in the vicinity of lighthouses in the English and Irish Channels.	Present distress signals sufficient, but suggests certain warning signals, a red rocket with red stars being used for the purpose.
Inclosure No. 3. Hedderwick, J., Master Mariner.	..	Yes..	Thinks there is a desire. Suggests the use of red and white flashes.	Yes; and, therefore, increased caution would be needed.	Any system requiring restriction should not be adopted.	Recommends a selection of sentences, to be called important communications, distinguished by day by flying the ensign at the fore, and at night by hoisting a red light at the fore and signalling with red and white flashes.
Royal Mail Steam-packet Company.	Feb. 15, 1888	Occasionally night signals might prove useful.	No. If adopted, caution would have to be used to prevent confusion.	Yes.		
Telegraphic Construction and Maintenance Company (Limited).	Feb. 16, 1888	Yes..	Think there is no general demand, but recommend the "Morse" system, with coloured lights and the steam-whistle or fog-horn for sound-signals.	Not with ordinary care	Think that night signalling with coloured lamps at pilot stations should not be used except in cases of extreme urgency.	Think that present danger signals should be emphasized by the firing of guns or by detonating signals in such a manner as not to be mistaken for other signals. Also strongly suggest the use of one distinctive signal to cover certain sentences, either by specially good red lamps, port fires, or detonating signals. Recommend that officers should be examined in the "Morse" Code.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Chamber of Shipping of the United Kingdom.	Mar. 6, 1888	No	No	Think there is great danger in the multiplication of lights.	..	Think Colonel "Hill's" proposals that the direction a ship is steering should be indicated by steam-whistle signals is worth consideration.
Allan, J. and A. (Allan Line) ..	Mar. 21, 1888	Suggest that sailing-vessels should have better lights, so that steamers would be able to perceive them at a greater distance, and recommend that steamers should have two white masthead lights and a coloured light added when they are towing. They also submit Reports from twenty-one of their commanders.				
Inclosure No. 1. Allan, J. A., Master Mariner	..	No	No	No	No	Thinks a few special warning signals necessary to be made by combinations of the "Coston" pyrotechnic light if confusion with private signals can be avoided. For a general system, recommends the flash system of the Navy.
Inclosure No. 2. Ambury, J., Master Mariner	..	It is very desirable	Not aware of any general demand; but if adopted, should be made by powerful lights. Pyrotechnic lights, being so variously used as private signals, would cause confusion.	No; if caution is observed ..	It would be difficult to make restrictions.	Present distress signals are sufficient. The signal, "I am in need of immediate assistance," should be followed by a gun in very urgent cases. There should also be signals for warning other vessels of danger.
Inclosure No. 3. Barrett, R., Master Mariner	..	Yes..	Is not aware of any general demand, but recommends "Eastaway's" system of lights.	No; but caution will be necessary.	Should be restricted to cases of great necessity only.	Additional signals should be very simple. Urgent signals should be preceded by a distress signal.
Inclosure No. 4. Bentley, J., Master Mariner	..	No	No	Yes; especially in crowded channels.	(See No. 4)	Yes; by means of red, green, and white lights.
Inclosure No. 5. Brown, J., Master Mariner	..	Yes..	Is unable to say. Thinks that red and green lights should be used exclusively for side-lights. Recommends combinations of four orange-coloured lights for night signals.	No; for vessels could signal at a distance instead of approaching to hail as they now sometimes do.	No, as they would be of most use in narrow channels.	Yes. Recommends five additional urgent signals. Thinks that pyrotechnic lights, rockets, &c., should not be used, as causing confusion with present private signals.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Allan, J. and A. (Allan Line) —(*continued*).						
Inclosure No. 6. Carruthers, R., Master Mariner.	..	Yes; but it should only be used for "warnings."	Has not heard it expressed. Suggests three distinct lights in place of ball, pennant, and square flags, with general code signal to attract attention.	Not if a distinct code signal can be adopted.	Should be restricted to warning or relief signals.	(As in No. 3.)
Inclosure No. 7. Dalziel, W., Master Mariner	..	There ought to be some system, but not a complete code made by too many different coloured lights.	Yes; to be made by red and white lights only.	Yes..	Should be restricted in crowded waters to urgent signals only.	Yes; by means of red and white lights shown in different positions.
Inclosure No. 8. Dunlop, W., Master Mariner.	..	..	Is not aware of any general demand.	Yes..	Should be restricted to urgent signals only in narrow waters.	Yes. Red, green, and white lights in place of ball, pennant, and flag, but the number and variety of private signals now in use would render any system difficult.
Inclosure No. 9. France, J., Master Mariner.	..	No, unless a very simple system can be adopted.	No	Yes..	No	Recommends combinations of red, green, and white lights to be used for urgency and demand signals.
Inclosure No. 10. Hughes, R. H., Master Mariner.	..	Yes..	Yes. Recommends the Navy system of flashing lights.	No occasion for vessels to approach dangerously near.	..	Present distress signals sufficient. Recommends "Wynaeke's" system.
Inclosure No. 11. James, D. J., Master Mariner.	..	Thinks the time has arrived ..	Not aware of any general demand.	No; if precautions are taken ..	No	Present distress signals should not be changed. Recommends blue, white, and red lights for urgent signals.
Inclosure No. 12. McDougall, A., Master Mariner.	..	Yes..	Yes. Recommends a system of red, white, and green flashes, but does not approve of a system increasing the number of lights to be encountered.	Yes; unless the flashes are powerful enough.	Yes. Vessels signalling should not approach each other nearer than 1 mile, and night signals should not be used except in urgent cases either in channels or at sea.	Recommends eight additional urgency signals. Thinks there should be a new distinct fog signal for indicating a vessel's course.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Allan, J. and A. (Allan Line)—(*continued*).						
Inclosure No. 13. Macnicol, A., Master Mariner.	..	..	No	Yes..	..	Recommends a few additional simple warning and urgency signals.
Inclosure No. 14. Moore, R. P., Master Mariner.	..	Not necessary to adopt the whole code for night signals.	Knows of no general demand ..	Yes..	Night signals should only be used in open waters.	Recommends the four additional signals given in the Order of Reference made by means of red and white globe lamps.
Inclosure No. 15. Park, J., Master Mariner ..	..	Yes..	Not aware of any general demand. Recommends bright blue and red lights placed vertically as warning signals.	No; if precautions are taken ..	Certainly not. Action in urgent cases may be hampered by restrictions; some risk must be run in order to save life.	Present distress rocket signal sufficient. (See reply to No. 3 for warning signals.)
Inclosure No. 16. Richardson, W., Master Mariner.	..	Thinks that any system introduced would have to be made by means of lights, and as the glare of light would be blinding, it would be better not to have them. Recommends rockets or a strong light, often repeated, for distress signals. It is at all times desirable to have warning of danger ahead.				
Inclosure No. 17. Ritchie, J., Master Mariner	..	No	No	Yes..	Night signals should be used only in urgent cases.	Any special night signals should be used only by ships in distress and for saving life.
Inclosure No. 18. Smith, W. H., Master Mariner.	..	No	Has not heard any general demand expressed. Thinks some flashing system, such as the "Morse," would be the best system if any is adopted.	Not if caution is used	Not if proper precautions are adopted.	Yes; an explosive rocket to warn vessels approaching danger; also as a means of attracting attention previous to important signalling.
Inclosure No. 19. Stephen, J. G., Master Mariner.	..	Yes	Recommends a system of coloured lights.	Yes; therefore should only be used in urgent cases.	Should not be used except in the interests of safety.	Thinks warning signals might be made by means of coloured lights placed vertically, the signal to be preceded by a bomb rocket to attract attention.
Inclosure No. 20. Watts, R. S., Marine Superintendent.	..	Yes..	Thinks not. On the contrary, practical men dread a system that would increase the number of lights.	Yes; but the danger would be partly obviated by forbidding complimentary signalling.	Recommends a deck flare for attracting attention, to be used exclusively in urgent cases.	Refers to inclosure by Mr. Eastaway, the second officer of the "Circassian," containing coloured plan of night signals, which would meet all cases.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Allan, J. and A. (Allan Line) —(*continued*). Inclosure No. 22. Wylie, H., Master Mariner.	--	No	No	No	Rockets should not be allowed in crowded waters except as signals of distress.	When field ice is encountered, recommends a warning signal to be made by means of burning six blue lights consecutively.
Smith, G., and Sons	Mar. 22, 1888	Thinks it would be a mistake. Now that steamers are employed the necessity of speaking one another is done away with.	No	There is danger when large steamers approach each other.	Signalling should be forbidden in crowded waters, except in urgent cases or in need of pilot.	If distress and warning signals are adopted, they should be of a distinct character.
Holt, A., Liverpool	Apr. 24, 1888	After discussing the subject with others qualified to form an opinion, has somewhat hesitatingly come to the conclusion that the proposal should not be carried out at present.				
Aberdeen Local Marine Board ..	Jan. 27, 1888	..	No demand	..	..	Yes. The distress signal should be a thoroughly distinctive one. Suggest a competition for best code of signals.
London Local Marine Board ..	Jan. 28, 1888	Yes; to a limited extent ..	Not aware of any	Danger might arise by withdrawing the attention of the watch, and a general system would become a dead letter as the night watch consists usually of only one officer and the "look out."	Night signals should be available in all waters and under any circumstances.	Recommend two additional distress signals: (1) red and white flare asking for immediate assistance; and (2) red and blue flare for warning other vessels of danger.
Dundee Local Marine Board ..	Feb. 1, 1888	No	No demand	Yes..	Think that private signals of such a nature as to be mistaken for distress signals should not be permitted.	Present distress or danger signals ought to suffice if amplified in a simple manner, to show nature of circumstances in which vessel is placed.
North Shields Local Marine Board.	Feb. 3, 1888	Present distress signals sufficient.	Further night signals undesirable.			

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Greenock Local Marine Board ..	Feb. 9, 1888	Not required unless for cases of danger or when in fog.	Not aware of any	..	..	Suggest a system of signalling for steamers by means of high and low notes on whistles, to be used in fog or danger.
South Shields Local Marine Board.	Feb. 13, 1888	No	No	Yes..	Rockets should be forbidden for private and other signals, and used exclusively for distress signals.	Present distress signals are sufficient.
Leith Local Marine Board ..	Feb. 14, 1888	Submit a Report, in which they concur, from the Scottish Ship-masters' Asssociation.				
Inclosure. Scottish Ship-masters' Association.	..	Yes..	There is only a limited demand. The majority of the Association are in favour of the "Morse" flashing system. Others approve of the fog-whistle, fog-horn, or fog-bell being used on the "Morse" system.	Yes..	In any case night signalling should be restricted to urgent cases only.	Suggest three additional warning signals for crowded waters by long and short blasts on the steam-whistle or horn.
Cork Local Marine Board ..	Feb. 15, 1888	Yes..	There is no general demand because it would increase cost of outfit and give extra trouble. Recommend coloured fireballs, Roman candles, &c., as not interfering with present signals, but think they should not be made compulsory.	No	No	Recommend five signals in addition to those named in the Order of Reference, and suggest the use of fireballs.
Newcastle Local Marine Board..	Feb. 15, 1888	May be desirable, but they are opposed to any extended or elaborate system of night signals.	No	Yes..	..	Recommend a simple system of urgent danger and distress signals, to be made by means of red, white, and green globe lamps.
Dublin Local Marine Board ..	Mar. 21, 1888	Yes, if it can be done safely ..	..	It should not offer an inducement to run into danger.	..	Such signals are desirable.
Liverpool Local Marine Board ..	Mar. 23, 1888	Inclose copies of replies from three Associations.				
Inclosure No. 1. Liverpool Steam-ship Owners' Association.	..	No	No	Yes..	Night signals should be restricted to urgent cases only, especially in crowded waters.	Yes; by means of red and white lamps.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Liverpool Local Marine Board —(*continued*).						
Inclosure No. 2. Mercantile Marine Service Association.	..	Yes..	Yes. A simple system on the "Morse" principle.	..	..	Desirous of a signal to indicate the course being steered by another vessel.
		(They suggest that all the points should be referred to the International Conference proposed by the United States. They have suggested to the United States' Consul that the Conference should be held in England.)				
Inclosure No. 3. Ship-owners' Association, Liverpool.	..	No. It would be very undesirable, because it would increase the number of lights.	..	Yes..	..	Recommend a night signal to indicate which way a vessel is steering.
Plymouth Local Marine Board ..	Mar. 29, 1888	No	No	Yes.		
Belfast Local Marine Board ..	Apr. 10, 1888	..	..	..	..	Some special warning night signals seem desirable.
Inclosure. Porter, W. (J. P.) ..	Apr. 11, 1888	Suggests for revision of signal code that a voyage exceeding 100 days and degrees and minutes of longitude should each be reduced to one hoist. Geographical and spelling vocabularies require enlargement.				
Glasgow Local Marine Board ..	Apr. 13, 1888	Suggest that further consideration of this subject should be deferred until the International Signals Conference proposed by the United States is held.				
Hull Local Marine Board ..	May 8, 1888	Submit opinions of ship-owners and masters as follows:—				
Inclosure No. 1. Bailey and Leetham ..	May 8, 1888	If adopted, should not be compulsory.	No	Yes; dangers of collision and strandings increased.	Yes; rockets should be used only as distress signals.	Yes, in certain cases; say one distinctive signal denoting ice or other danger ahead.
Inclosure No. 2. Briggs, Hy., Sons, and Co..	May 8, 1888	No				
Inclosure No. 3. Cammell, Woolff, and Haigh	May 8, 1888	Think from inquiries made that additional signals would cause more confusion.				

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Hull Local Marine Board—(*continued*).						
Inclosure No. 4. Good, Flodman, and Duncan.	May 8, 1888	Yes..	Not sufficiently experienced to give detailed opinion.			
Inclosure No. 5. Jackson, Beaumont, and Co.	May 8, 1888	Think it important that steamers should be able to communicate by night as well as by day.	..	..	Yes; increase of lights very dangerous in crowded waters.	
Inclosure No. 6. Lofthouse, C. M., and Co. .	May 8, 1888	No	No	No	Yes..	Yes. Submit sketch of iron frame for four special warning signals.
Inclosure No. 7. Moran, Wm., and Co. ..	May 8, 1888	Not aware of any improvements they could suggest.				
Inclosure No. 8. Ringrose, W. C. L. ..	May 8, 1888	Think it desirable	That signals for this purpose should be hoisted well clear of regulation lights.	Not if confined to urgent, &c., matters.	Yes; night signalling should be confined to the more urgent and important matters.	
Inclosure No. 9. Woodhead, T. D., and Co. .	May 8, 1888	Think a system of night signals to firms who have a large fleet of steamers would be of much service.				
Inclosure No. 10. Coyst, Master Mariner ..	May 8, 1888	Doubtful	Thinks not	Yes..	Yes; only to be used by ship in distress.	Yes; the simplest possible.
Inclosure No. 11. Hallsey, D. T., Master Mariner.	May 8, 1888	No	No demand	Very dangerous in crowded waters.	The greatest restrictions ..	Thinks that no additions to present distress signals are desirable.
Inclosure No. 12. Kelsey, Thos., Master Mariner.	May 8, 1888	Yes..	Yes; signals to be made with coloured lamps.	No	Signals should not be kept out longer than necessary.	Thinks a red flare would answer all purposes.
Inclosure No. 13. Lee, Rd., Master Mariner..	May 8, 1888	Yes..	Yes. Suggests red, green, and white lights shown vertically and otherwise.	Should be limited, or would prove dangerous in narrow waters.	Thinks it should be restricted to reporting ships' danger and urgent signals.	Yes; six special signals by means of coloured lights.
Inclosure No. 14. Peters, A. R., Master Mariner.	May 8, 1888	Yes..	Yes. Suggests coloured lights shown horizontally, vertically, and otherwise.	No	Yes. Should be confined to reporting ships, and to danger and urgent signals.	Thinks some alteration ought to be made in the signal for a vessel not under command.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
Hull Local Marine Board—(*continued*).						
Inclosure No. 15. Tether, Rd. E., Master Mariner.	May 8, 1888	Not desirable	No	Great danger, especially in crowded waters.	The most stringent restrictions to signals affecting the near navigation, or the immediate safety of the ships in communication.	Present signals are all that is required.
Inclosure No. 16. Walskitt, J., Master Mariner	May 8, 1888	Present signals answer all requirements.				
Inclosure No. 17. Winship, C., Master Mariner	May 8, 1888	Not advisable to adopt such a system, the present system being all that is required.				

Inclosure (G).

Note showing proposed Alteration at pages xv *and* xvi *of the Signal Book.*

Extract from the Report of a Committee of 1855.

First, its comprehensiveness and distinctness, the *combination of the signs expressing the nature* of the signal made—[two* flags or symbols in a hoist always meaning either *Danger* or *Urgency*]—and the signals throughout being arranged in a consecutive series, so that any individual signal, whether a word or a sentence, may readily be found; secondly, that the flags and pennants are so arranged as by their position to characterize the signals made: thus—

* [In signals made with two signs—
The burgee *uppermost* represents ... ... *Attention* Signals
A pennant *uppermost* represents ... ... *Compass* Signals.
And a square flag *uppermost* represents ... ... *Danger* Signals.]

In signals composed of four signs—
The burgee *uppermost* represents ... ... *Geographical.*
A pennant *uppermost* represents ... ... *Vocabulary.*
And a square flag *uppermost* represents ... ... *Ships' Names.*

And thirdly, that the arrangement of the Code is such *as to hold out to foreigners the same advantages* that it affords to our own Marine.

This Committee [of 1888] have slightly departed from the recommendations contained in the last part of the above Report as follows, viz.:—

Instead of the words* in brackets as above, this Committee have adopted the following words:

* [Two flags in one hoist mean attention and demand; compass, and urgent or important signals, which are now classed into three groups, according to the sign which is uppermost, as follows, viz.:

A two-sign signal with—
The burgee uppermost represents ... ... Attention or Demand
A pennant uppermost represents ... ... Compass Signals.
A square flag uppermost represents ... Urgency or Importance.]

Supplementary Inclosure to Interim Report.

SINCE the publication of Parliamentary Paper C. 5695, the following additional Replies to the letter dated January 20, 1888 (Inclosure F), have been received.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
British India Steam Navigation Company.	Jan. 19, 1889	Submit the opinions of their Marine Superintendents and Commanders.				
Inclosure No. 1. W. H. Aitkinson, Marine Superintendent, Calcutta.	..	Such signals are desirable, but without special training would be of little use.	Knows of no special desire for such a system. The only safe system would be the Morse.	No serious danger, as they would not be much used.	If the system adopted was Morse flashing signals, there need not be any restriction.	Very difficult to make special night danger signals. Experts alone would understand the Morse system, and coloured lights are generally objectionable through risk of confusion with side-lights, but a small number of danger signals might be made with red and white lights.
Inclosure No. 2. G. Stevenson, Master Mariner.	..	Time has arrived for the system to be established.	No knowledge of general demand for such a system, but if one is adopted, the flashing light, with Morse alphabet, is most suitable.	Apprehends no danger on this score.	Pronounced signals, as rockets, blue and red lights, now used as private signals, should be set apart for pilot and danger signals, and arrangements of coloured lights substituted.	
Inclosure No. 3. John J. Lewis, Lieutenant, R.N.R.	..	Time not yet arrived for establishment of such a system.	Has heard of no demand for such a system.	Great danger may arise through inducement to ships to close with each other.	Should be prohibited in English and Irish Channels, and in pilot waters generally.	Night signals should be adopted. Morse telegraph might be used. Steam-whistles by steamers and flashing lanterns by sailing-ships with guns.
Inclosure No. 4. C. R. Kendall, Master Mariner.	..	Night signals should be adopted ..	Flash signals best, as coloured lights are easily mistaken.	It is possible that vessels might close with one another through several reasons.	Can give no answer	Does not know what system should be adopted. It is desirable that special warning signals be instituted.
Inclosure No. 5. A. P. Turner, Master Mariner.	..	Time has arrived for the adoption of such a system.	No general demand for system. Morse flashing signals most convenient.	Dangers would arise from vessels closing.	Restrictions should be made in crowded waters, and their use allowed only in urgent cases.	It is desirable to establish warning signals. Rockets and blue lights best.
Inclosure No. 6. J. R. Gaven, Master Mariner.	..	..	..	Without great prudence there would be danger of vessels closing.	Coloured light signals unnecessary in narrow waters, or where much traffic prevails.	Gun and rocket signals best. Every steamer might carry white, red, and green globe lamps, with which a number of permutations might be made.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
British India Steam Navigation Company—(*continued*).						
Inclosure No. 7. H. B. Smith, Master Mariner.	..	Time has arrived for night signals to be established.	Great need of system. A simple flashing system, such as used in Royal Navy, best.	No danger would arise from properly established system.	No restrictions should be placed on use of night lights, provided no confusion were possible with lights in common use.	It is absolutely necessary to establish warning signals; if possible, whole International Code of night lights.
Inclosure No. 8. J. P. Livingstone, Master Mariner.	..	Number of night signals insufficient.	Suggests use of "symbols," which would only necessitate three lamps showing colours at present used at sea. The flashing light system is liable to error, and would take too long.	..	Is not in favour of general night signalling in crowded waters.	Warning signals should be introduced.
Inclosure No. 9. E. C. Russell, Master Mariner.	..	It is desirable to establish a system of night signalling, but doubts the safety of such signals.	There is a general demand for such a system, especially in urgent cases. Recommends Colomb's flashing signals.	Danger might arise from signals being misread; no necessity for vessels approaching closely.	Should be restricted to urgent signals in narrow waters.	If any warning signals be used, they must be simple. Colomb's night signals or the Morse Code.
Inclosure No. 10. T. Johnston, Master Mariner.	..	..	..	..	Great danger might arise in crowded waters by use of signals.	A few simple warning signals might be used.
Inclosure No. 11. R. D. Dougherty, Master Mariner.	..	Has no suggestion to offer; thinks present system sufficient.				
Inclosure No. 12. John Beeamy, Master Mariner.	..	Thinks it is not desirable to establish night signalling.	No general demand for any system.	Night signalling would add to danger.	Every restriction should be put on bright light signalling.	Special warning signal might be established by coloured lights on Morse system of flashing signals.
Inclosure No. 13. J. W. Lewins, Master Mariner.	..	Answer in the negative	Answer in the negative.. ..	Sees no danger from this point of view.	Restrictions would be required in narrow waters.	Warning signals would be beneficial.
Inclosure No. 14. T. A. Magennis, Master Mariner.	..	Considers night signalling impracticable and unnecessary.	Thinks demand is not great ..	..	Might prove dangerous in narrow waters.	One or two warning signals beneficial; rockets and blue lights best.

Persons, Firms, Societies, &c., applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signalling?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
British India Steam Navigation Company—(*continued*).						
Inclosure No. 15. A. Hansen, Master Mariner.	..	Sees no necessity for night signalling, except in war times.	No demand	..	Would be dangerous in crowded waters.	A few simple urgent signals desirable by means of rockets and steam whistling on Morse system. Use of rockets as private signals should be disallowed.
Inclosure No. 16. A. W. Mann, Master Mariner.	..	No	No special demand	Would be dangerous	Very dangerous in crowded waters, such as English and Irish Channels, Straits of Gibraltar, &c.	Desirable to adopt the signal, "You are standing into danger," two guns followed by two red plates, one at the bow, other at stern; distant signals to be hoisted at fore and main.
Inclosure No. 17. J. Stone, Master Mariner	..	Time has not yet come	No	Yes	..	A few warning signals might be useful.
Inclosure No. 18. J. Henderson, Master Mariner.	..	This system could not be used on board ships, only from the shore or light-vessels.	..	..	The fewer lights used in crowded waters the better, such as channels off Ushant, Finisterre, Lisbon, &c.	In time of peace no signals are needed; during a war they might be necessary. Suggests flashing lights, using Morse alphabet for letters of International Code.
Inclosure No. 19. A. A. Fyfe, Master Mariner.	..	No general system is advisable ..	Short system, by means of red, green, and white lights, would be of use in cases of emergency.	Night signalling a fruitful source of collision.	Should be restricted to actual cases of necessity.	Is advisable to have something more definite than present distress signals.
Inclosure No. 20. A. E. Withers, Master Mariner.	..	Such a system has long been wanted.	Unable to state; Morse Code by night, and sound.	Good white light with Morse Code best.	With a flashing light restrictions unnecessary in localities named, communications most desirable.	Some urgent signals advisable; proposes two red pyrotechnic lights, vertical, followed by white flashing light in Morse Code.
Inclosure No. 21. James Smith, Master Mariner.	..	Time not yet come	No particular demand; Morse alphabet best.	There would be no occasion for ships to close.	No restrictions necessary ..	Distress signal at present in use would indicate "Need of immediate assistance," "You are standing into danger," and "I have encountered ice," might be adopted by use of rockets and blue lights together, or guns and blue lights together. Signal "I have passed a derelict dangerous to navigation" unnecessary.

Persons, Firms, Societies, &c. applied to for Observations.	Date of Reply.	2. Whether the time has arrived for establishing a system whereby the signals in the International Code Book may be made by night as well as by day?	3. If there is a general demand for such a system, what system should be adopted?	4. If such a system were established, whether any danger is likely to arise therefrom owing to the inducement it might afford to ships to approach one another too closely at night for the purpose of signailing?	5. To report whether there ought to be any, and, if so, what restrictions on the use of night signals, especially in crowded waters?	6. Is it desirable to establish some special warning signals to indicate danger to passing vessels? If so, what should they be, and by what means should they be made?
British India Steam Navigation Company—(*continued*).						
Inclosure No. 22. N. R. Sayers, Master Mariner.	..	Time not yet come	No general demand	Very great danger from collision ..	Dangerous in crowded waters, and ought to be restricted to ships signalling to signal stations only.	Other sentences to indicate danger, distress, or urgency should be used instead of the ones mentioned. Gives Trinity House system, consisting of numbers shown before a box light, as an illustration of what might be done.
Inclosure No. 23. W. H. Hutchinson, Marine Superintendent, London.	..	No special benefit to be derived from establishing night signals for the International Code.	No demand as far as he is aware ..	No particular danger to be apprehended from vessels closing, as no vessels would go out of their way to signal.	In crowded waters night signalling would be a danger in itself.	Present signals quite sufficient, and are thoroughly understood.

Inclosure 6 in No. 143.

Additional Report of the Committee on Sound-Signals.

Sir, *Washington, November* 21, 1889.

AGREEABLY with the reference of the Conference on the 8th November, for the Committee on Sound-Signals to consider and report the specific cases in which new fog-signals should be adopted, and to report specific signals for such cases, we beg to submit that in the opinion of the Committee it is desirable to adopt the sound-signals mentioned in the following Report for compulsory or permissive use as advised.

The sound-signals at present authorized, or adopted by the Conference, to be used during fog, mist, falling snow, or heavy rain, are—

Whistle or Siren.—One long blast of about four seconds' duration, "A steam-vessel under way."

Two such long blasts, "A steam-vessel not at anchor, but stopped and having no way upon her."

Fog-horn.—One blast, "A sailing-vessel on the starboard tack."

Two blasts, "A sailing-vessel on the port tack."

Three blasts, "A sailing-vessel with the wind abaft the beam."

Bell.—Rung continuously for about five seconds, "A vessel at anchor."

One blast on fog-horn and bell rung alternately. To indicate a fishing-vessel off the coast of Europe, north of Cape Finisterre, dredging, employed in line-fishing with her lines out, or using drift-nets and being attached to them.

The sound-signals at present authorized and those adopted by the Conference to be made by steam-vessels when in sight of one another are—

One short blast, "I am directing my course to starboard."

Two short blasts, "I am directing my course to port."

Three short blasts, "I am going full speed astern."

In choosing characters for additional signals the Committee have acted on the principle that—

1. Although efficient mechanical fog-horns, capable of producing sounds of varying duration, are increasing in numbers on board both sailing and fishing vessels, many fog-horns are at present incapable of producing long as well as short sounds.

2. A signal consisting of long sounds is not sufficiently distinctive from one made up of "short" sounds to enable characters consisting of similar sounds, but of different durations, being readily read without liability of mistake. It is only when sounds of different duration are combined in one signal that they are sufficiently distinguishable apart.

3. The sirens of many light-houses and light-vessels sound characteristic high and low notes of different pitch, and this custom is increasing; the Committee, therefore, consider it desirable that such characters should be solely used to distinguish fixed sea or coast dangers; and that all signals made by a moving or stationary sea-going vessel should be characters in one tone or key.

The most unmistakable and easily remembered sound-signals—like those now authorized—consist of a single sound, or a combination of sounds of equal lengths; and the Committee advise the adoption of such characters for any new signals made by one vessel wishing to warn another of her presence, whether she is under way, not under command, or at anchor in a fairway at sea.

One, two, or three sound-blasts on a fog-horn are already in use by sailing-vessels under way.

It is not laid down what the length of these blasts should be, but, by the construction of the fog-horns used in the past, they are necessarily blasts of equal duration; we submit that they should be so regulated, and termed short blasts.

The one, two, or three short blasts on the whistle or siren of a steam-vessel communicating with another vessel, which is in sight of her, might be mistaken for a similar number of sounds on the fog-horn of a sailing-vessel unless the instruments are unmistakably different in tone. And the one "long" blast of a steam-vessel under way in a fog, &c., may, in certain cases, be mistaken for the one "short" blast helm-signal by a steam-vessel; but inasmuch as all these signals have been in use for many years without fault being found with them by mariners, the Committee are not prepared to advise any change in their characters.

The two "long" blasts on a whistle or siren recently adopted by the Conference

to indicate a steam-vessel not at anchor, but stopped and having no way upon her, might in some cases be mistaken for a steam-vessel's two "short" blasts helm-signal to another vessel in sight. To make these signals as distinct as possible the Committee recommend that the words "two such long blasts" should be altered to "two prolonged blasts."

The Conference having provided in Article 13 that a steam-vessel hearing apparently before the beam the fog-signal of a vessel, the position of which is not ascertained, shall, so far as circumstances admit, "stop her engines." We recommend that similar wording should be adopted in Article 12, sec. (*b*).

The Committee are of opinion that it is undesirable to adopt as a character any combination of more than four sounds, either of equal or of varying duration, except they are so numerous and continuous as to be unmistakable.

Acting on this principle, they have chosen the following characters for compulsory use during fog, &c., when another vessel is not in sight:—

Three blasts on a whistle or siren to denote a steam-vessel when her engines are going full speed astern. The Committee recommend the adoption of the above wording in lieu of the present wording in Article 19, "I am going full speed astern."

Two short blasts repeated once, with a short interval between the pair of blasts, on a whistle, siren, or fog-horn, to denote respectively a vessel under steam or sail towing another vessel; and the same character for permissive use to denote also, if necessary, a vessel being towed.

The continuous sounding of any fog-signal, or, while the fog-horns in use are capable only of making single blasts, any number of short blasts greater in number than four, following each other in quick succession on a fog-horn, to denote a vessel in distress.

Considering that it is immaterial to an approaching vessel what the impediment is that she necessarily has to get out of the way of, and that a similar character signal of one blast on the fog-horn alternating with a ring of the bell has long been the authorized and established signal for fishing-boats fishing on the coasts of Europe north of Cape Finisterre, the Committee have chosen two prolonged blasts on a whistle or fog-horn, alternating with the ringing of a bell, to denote a vessel at anchor in a fairway at sea, and have adopted the same character to denote a vessel not under command.

The Committee are informed that in the London river four short blasts on a steam-vessel's whistle denote that the steam-vessel is unable to comply with the regulations and alter course to get out of the way of a neighbouring vessel which is in sight in consequence of being dangerously near the side of a narrow channel-way, and the steam-vessel thereby demands that the other vessel should get out of her way. Such being the case, they have considered it unadvisable to adopt the same character as a signal for another purpose at sea.

The characters referred to above practically exhaust the combination of easily remembered sounds of equal duration, and it follows that for further signals, characters combining long and short sounds must be chosen.

The Committee consider it desirable to distinguish the few special "communication" signals asked for by mariners from the warning or danger-signals by adopting combination characters commencing with a short sound, and on this principle they have chosen the characters mentioned below.

Short, long, short; — ——— — to denote "My engines are stopped; you may feel your way past me."

Short, short, long; — — ——— to denote "A pilot-vessel;" or, "I want a pilot."

We are of opinion that Article 12, prescribing what sound-signals apparatus should be carried by vessels, should be limited to vessels above 20 tons gross tonnage—smaller sailing-vessels and boats being allowed to make any efficient sound-signal.

We have received evidence that improved mechanical fog-horns are now obtainable at a reasonable expense, and that such horns are largely used; especially is this the case on board of the vessels fishing on the Banks of Newfoundland, where, in addition to the safety of the vessel, the interests of those engaged in fishing are increased in accordance with an increase in the efficiency of their fog-horns, which are used for signalling to their outlying boats when fishing at a distance from the parent vessel.

With a view to insuring as much as possible the efficiency of all fog-horns, we recommend that the words "a bellows or other," in Article 12, be eliminated in order to prevent as much as possible the use of inferior instruments.

In agreement with the decision already come to by the Conference, we recommend the use of a gong in lieu of a bell in Chinese and other waters where such instruments are in common use on board vessels; but inasmuch as a large number of light-vessels in other waters use such instruments to sound a special signal indicating their position

as a warning mark defining a neighbouring sea danger, the Committee invite the consideration of the Conference to the desirability of not allowing a gong to be used in such waters.

In accordance with our recommendations as above, we suggest for the consideration of the Conference the following readings of the Articles in the Regulations :—

Addition to Article 9. A pilot-vessel wishing to attract attention may sound on her fog-horn, whistle, or siren, three blasts, viz., short, short, long, with intervals of about one second between them.

Article 10 (*k*). In fog, mist, falling snow, or heavy rain-storms, a drift-net vessel attached to her nets, and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with their lines out, shall at intervals of not more than two minutes make a blast with her fog-horn, followed by ringing her bell.

Sound-Signals for Fog, &c.

Article 12. A steam-ship shall be provided with a whistle or siren, sounded by steam, or other efficient substitute for steam, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage and upwards shall be provided with a similar fog-horn and bell.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to be provided with a mechanical fog-horn, but if not so provided they shall make with any other instrument an efficient sound-signal at intervals of not more than two minutes.

Article 12—(*b*.) A steam-vessel not at anchor, but with engines stopped, shall sound, at intervals of not more than two minutes, two prolonged blasts with an interval of about one second between them.

(*e*.) A steam-vessel, when her engines are going full speed astern, shall sound on her whistle three short blasts.

(*f*.) A vessel, if a steam-vessel, at anchor in a fairway at sea, shall, at intervals of not more than two minutes, sound two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing-vessel, two blasts with her fog-horn, followed by ringing her bell.

(*g*.) A steam-vessel and a sailing-vessel when towing shall, and the vessel towed may if necessary, at intervals of not more than two minutes, sound on the whistle, siren, or fog-horn four short blasts sounded in pairs, the first two being separated from the last two by an interval of slightly longer duration than the intervals between the first and second blasts and the third and fourth blasts.

(*h*.) A steam-vessel wishing to indicate to another, "My engines are stopped, you may feel your way past me," may sound on her whistle or siren three blasts, viz., short, long, short, with intervals of about one second between them.

Pilot Signals.

Sec. 3. A vessel wanting a pilot may sound on her fog-horn, whistle, or siren three blasts in succession, viz., short, short, long, with intervals of about one second between them.

Sound-Signals for Vessels in Sight of one another.

Article 19. In taking any course authorized or required by these Regulations, a steam-vessel under way shall indicate that course to any other ship which she has in sight by the following signals on her whistle or other steam sound-signal, viz. :—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern."

Lights and Signals to attract Attention.

Article . Every ship may, if necessary, in order to attract attention, in addition to the lights which she is by these Regulations required to carry, show a flare-up light, or use any detonating signal that cannot be mistaken for a distress signal.

* In all cases where the Regulations require a bell to be used, a drum will be substituted on board Turkish vessels, and a gong in Chinese waters where such articles are commonly used on board small sea-going vessels.

Distress Signals.

Article 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately; that is to say:—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by NC;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;
4. Rockets or shells bursting in the air with a loud report, and throwing stars of any colour or description, fired one at a time at short intervals.
5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the ship (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, as described under day-signals.
4. A continuous sounding with any fog-signal apparatus.

(Signed) SPAUN, *Delegate of the Austro-Hungarian Government.*
AUG. SCHNEIDER, *Delegate for Denmark.*
G. S. NARES, *Chairman of Committee, Delegate of Great Britain.*
R. SETTEMBRINI, *Delegate for Italy.*
T. SALVESEN, *Delegate for Norway.*
VAN STEYN, *Delegate from the Netherlands.*
J. W. SHACKFORD, *Delegate of the United States.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Inclosure 7 in No. 143.

Report of Committee on Systems and Devices.

Sir, *Washington, October* 31, 1889.

IN compliance with a Resolution made by the Maritime Conference, we have consdered all systems and devices which have been laid before us up to the 30th instant, on wihich day, in accordance with the ruling of the said Conference, we closed our examination, and do now report as follows:—

We have considered thirty-seven different proposals on night signalling, &c., at sea, but whilst glad to notice that this important subject is receiving so much attention, and thanking the authors of the various systems for their trouble, we have not seen any plan equal to the Morse, which is already in use in many navies, including those of the United States, France, and Great Britain.

This system necessitates the employment of a trained signalman, but is otherwise inexpensive, as it only requires one flashing lamp for night work, and the steam-whistle or other sound-signal for fog. It can also be used with or without a Code Book.

Ten papers on preventing collisions at sea have become before us, but we do not consider it necessary to lay them before Conference.

We have examined twenty-five papers on various subjects, and consider that those numbered 2, 5, 9, 17, 20, and 25, under Miscellaneous, are interesting. The sheets showing the manœuvring powers of ships under various speeds, and numbered 20, are well worth the attention of every one interested in this subject.

The Committee are of opinion that considering the importance of Division V, "Saving Life and Property at Sea," and a number of devices which have been presented, it would appear desirable to appoint a Special Committee to consider that subject, composed, as far as possible, of Delegates who have made a study of the matter, and therefore the propositions dealing with "Life-Saving Apparatus" have not been considered.

Furthermore, it might be necessary, in some cases, to carry out some practical experiments.

We inclose herewith Forms showing the subjects dealt with, the names of the author or inventor, and our remarks thereon.

(Signed) N. BOWDEN-SMITH, *Chairman, Delegate from Great Britain.*
THO. VERBRUGGHE, *Delegate from Belgium.*
H. VETILLART, *Delegate from France.*
A. O. MONASTERIO, *Delegate from Mexico.*
S. I. KIMBALL, *Delegate from United States.*

To the President,
International Marine Conference.

ON SIGNALS.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
1	Maritime Electric Mfg. Co. ..	Search light	Will be considered in live-saving section.
2	E. M. Brown, 1285, Broadway, N. Y. City.	Electric light illuminating ..	Not within scope of the Conference.
3	John M. Hayward, Newfoundland.	Night signalling, A B C system ..	Examined.
4	Aug. Watson, 218, 12th St., N.W., Washington, D. C.	Storm and flood signalling ..	Examined.
5	Chas. Oatman, 131, Cambridge Place, Brooklyn, N. Y.	Signal lantern	This appears a good lamp, and is well reported on by U. S. naval officers.
6	A. F. Ward, Philadelphia, Penna.	Semaphoric colour signals ..	Examined.
7	W. H. Ward, Monongahela City, Penna.	Nautical signals, ocean telegraph .	Examined.
8	John Milne, 53, Cedar St., N. Y. City.	Method and devices for signalling.	Examined.
9	J. M. Batchelder, 1210, Mass. Ave., Washington, D. C.	Submarine signals	Examined.
10	A. S. Harrison, Burgoyne Cottage, Corona Road, Burnt Ashe Park, S.E., London, England.	Stellar Code of signals.. ..	Examined.
11	Wm. G. Spiegel, N. Y. City..	Marine signals	Examined.
12	Chas. E. Bridge, Captain and Acting Signal Officer, 11th Brigade, N. G. S., N. Y.	Conversation between vessels at sea.	Examined.
13	J. L. Fleischer, Inspector Coast Lights, Denmark.	Relation between light and attached fog signals.	Does not come within the scope of the Conference.
14	Jos. Wall, Commanding S.S. "Montreal," Dominion Line, Liverpool, Eng.	Distress and intercommunication signals.	Examined.
15	T. R. Elton, 7, Diamond Harbour Road, Calcutta.	Maritime code of signals ..	Proposing the changing of the colour of flags, which the Committee does not think advisable.
16	G. W. Robertson, Mt. Vernon, Ind.	New system of signals.. ..	Does not come within the scope of the Conference.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
17	Wm. M. Crowley, Salt Lake City, Utah.	Signalling	Examined.
18	John H. Mowe, 1503, Penna. Ave., Washington, D. C.	System of signals	Examined.
19	H. Lathamer, Commanding Ger. S.S. "Hungaria."	System of night signals ..	Examined.
20	Baker and Roberts, Providence, R. I.	Night code of marine signals ..	Examined.
21	S. F. Aminoff	Signal flags	The proposed system has several advantages, but it is not advisable to change colour of the flags which have been known for so many years.
22	Mr. Coston, 136, Pearl St., New York.	Night signalling chart	Examined.
23	F. C. Johnson	Night signal system ..	Examined.
24	Curtis Tilton, 419, Walnut St, Phila.	Flash-light system	Examined.
25	Crosby Automatic Signal Co., Providence, R. I.	Automatic signal apparatus ..	Not to be considered by Conference unless course-indicating signals are introduced.
26	Gartner-Harris, Savannah, Ga.	Marine signals	Same as No. 25.
27	O. C. Hansen, care Gabriel Fedde, 71, Stone St., New York.	Light-house fog-horn	Not within the scope of the Conference as regards light-houses, but is worth a trial on board ship.
28	Ferdinand Forster, care Thos. Drew Stetson, 23, Murray St., New York.	Sound-signals	Examined.
29	Lieutenant Fletcher, U. S. N.	Sound-signals	Examined.
30	A. Van Vliet, Patterson, N. J.	System of throwing out coloured bullets in a fog.	Examined.
31	D. Ruggles, Fredericksburgh, Va.	Signalling with guns, rockets, &c.	Examined.
32	Mr. James, Imperial Japanese Navy.	Helm-signal lights	Examined.
33	Rear-Admiral Luce, U. S. N...	Proposing additional lights, &c., to light-houses.	Not within the scope of the Conference.
34	John Maurice, California ..	Proposing system of lights for determining distance of ships.	Examined.
35	W. H. Hawkes, Putney, London.	System of signalling with rockets	Examined.
36	Jacob and Walker, London ..	High and low tone whistle for fog.	Examined.
37	H. H. Dotty, 11, Queen Victoria St., London.	Claims to be a lamp of great intensity without using a wick. Model submitted.	Committee cannot pronounce an opinion without comparing this lamp with others at sea.

COLLISIONS.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
1	Mr. F. Della Torre, Baltimore	Eophone	Examined.
2	.. ..	A system of india-rubber rollers..	Examined.
3	John F. Schultz	Captive balloons to be used in a fog.	Examined.
4	Arturo de Marcoartu ..	International institution to diminish the casualties at sea.	Contains neither systems nor devices.
5	Fairman Rogers	Suggests that all wheels should be made to work the same way, and the adoption of one apparatus by which pushing the handle and the index ahead means go ahead, and pushing it astern means go astern.	Examined.
6	J. McAdams and Sons, New York.	Marine break	Examined.
7	John Ris, Brooklyn, N. Y. ..	Collision pad..	Examined.
8	W. T. L. Wharton..	Diagram relating to collisions ..	These diagrams are well worth consideration of Conference. [See Miscellaneous, No. 20.]
9	Steamer "Florence," New York.	Marine brake	The invitation to view the "Florence" should be read to the Conference.
10	William Pilcher, London, W.	Models for teaching the Rules of the Road.	Not within scope of Conference.

MISCELLANEOUS SUBJECTS.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
1	Bainbridge-Hoff, Commander U. S. N., Washington.	Letter proposing list of subjects to be considered by Conference.	Already disposed of. No action necessary.
2	Littlehales, Division of Chart Construction, Washington.	Referring to Divisions I, II, X, and XI of Conference.	Might be read to the Conference when those subjects are considered.
	Letters on similar subjects from C. M. McCarteneny and S. W. Wetzel, Lieuts. U. S. N.; also from Mrs. Kerrle.	Referring to Divisions I, II, X, XI, and XII.	Might be read when those subjects are considered, except paper on Division I, which is not necessary.
3	Consul Catlin, of Zurich ..	Proposing a Swiss maritime flag..	Not within scope of the Conference.
4	John C. Morgan, Philadelphia	Various matters	Examined.
5	Northern Maritime Conference, Copenhagen.	Memorandum, with pamphlet on the general subjects of programme.	Pamphlet should be distributed to the members of the Conference.
6	F. Della Torre, Baltimore ..	Letter and plan relating to Division X.	Examined.
7	A. L. Woodworth, Virginia Ironworks, Norfolk, Va.	Automatic alarm-buoy	Examined.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
8	Major A. Stewart Harrison, London.	Sound Stella signals: night, day, and fog.	Examined.
9	Lieut. M. L. Wood, U. S. N. .	International buoyage	Appears to be a well-considered and simple system.
10	S. A. Philipsen, Copenhagen..	International buoyage	An account of systems now in existence, and suggestions.
11	I. Leveille, Montreal ..	Additional improved safety rudder	Does not come within scope of Conference.
12	R. W. Allen	A jury-rudder	Not within the scope of Conference.
13	Report of U. S. Naval Engineers.	Combined rudder and swivelling screw.	Not within the scope of Conference.
14	N. H. Borgfeldt, Brooklyn ..	Nautical distance indicator for use in fog.	Examined.
15	S. N. Carvalho, New York. ..	Plan for dissipating fog by flames of carbonized oxy-hydrogen gas.	Not within scope of Conference, no experiments having been reported.
16	M. E. Chamberlain.. ..	Suggests firing coloured rockets to avoid collision.	Examined.
17	James Lawson, London ..	Lamp for the masthead, fitted with red and green shades, capable of being worked from the deck to indicate which side it is intended to approach a vessel.	Might be laid before Conference if any system of helm-signals is adopted.
18	Various writers. No covering letter.	Various matters	Examined.
19	Capt. P. Talbot Peterson, New York.	A running commentary on the Rules and other topics in connection with the Conference.	Examined.
20	Captain W. J. L. Warton, R.N., London.	Charts, with Tables showing the manœuvring powers of ships.	Worth the consideration of every one interested in this subject.
21	.. ..	Bundle of papers bearing on every subject before the Conference.	These papers were presented to us the last day of our sitting, having been previously considered by the Committees on Lights and Fog Signals, and as some of them appear to contain matters of interest, we would recommend their being placed at the disposal of the members of the Conference.
22	American Ship Windlass Co., Providence, R. I.	Referring to steam capstan, windlasses, &c.	Not within scope of the Conference.
23	H. B. Case, New Haven, Conn.	Proposing a new system of lamps and electric buoy.	Committee cannot pronounce an opinion without seeing them at sea.
24	John Spiers, by Watson and Hagen, New York.	Proposition for stopping leaks in vessels built of iron or steel.	Not within scope of the Conference.
25	Curtis Tilton, Philadelphia ..	White flash stern-light, with model.	Worth the consideration of Conference if occulting stern-light is introduced, but we would prefer that the occultation was made by a shade.

Inclosure 8 in No. 143.

Report of Committee on Lights for Small Craft.

Sir, *Washington, November* 8, 1889.

THE Committee on Lights for Small Craft, pursuant to the Resolution adopted by the Marine Conference instructing the said Committee to consider and report as to Rules for the lights to be carried or shown on small vessels, pilot-vessels, and fishing-vessels, have agreed upon a Report, which, having adopted unanimously, or by a majority of votes, they respectfully submit, in the form of proposed amendments to the present International Regulations.

The Committee are unanimously of opinion that the part of the present Article 10, which precedes sub-section (*a*), applying to fishing-vessels and boats when in the sea off the coast of Europe, lying north of Cape Finisterre, should be omitted. The amendments submitted are therefore proposed as applicable to all waters without distinction.

(Signed) THOMAS GRAY, *Chairman.*
THO. VERBRUGGHE, *Delegate for Belgium.*
A. M. BISBEE, *Delegate from China.*
AUG. SCHNEIDER, *Delegate from Denmark.*
HENRI LANNÉLUC, *Delegate for France.*
CHR. DONNER, *Delegate from Germany.*
R. BABA, *Delegate from Japan.*
D. HUBERT, *Delegate from the Netherlands.*
JAS. W. NORCROSS, *Delegate from the United States.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Article 7. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Article 8. No alteration.

Article 9.—(*a.*) A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places, screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side, and the green light only on the starboard side.

(*b.*) A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the masthead.

(*c.*) A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels.

Article 10. Paragraph (*a*) of this Article applies only to boats and vessels propelled by sails or oars of less than 20 tons gross tonnage, and only to such boats and vessels when they are under way. It therefore applies also to fishing-vessels of less than 20 tons gross tonnage, when they are not actually engaged in fishing, but are under way.

(*a.*) Boats and vessels of less than 20 tons gross tonnage shall not be obliged to carry

the coloured side-lights; but every such boat and vessel shall, if she do not carry such coloured side-lights, have ready at hand a lantern with a green glass on the one side, and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

Note.—Paragraph (*b*) of this Article applies only to vessels under steam of less than 40 tons gross tonnage, and only to such vessels when they are under way. It therefore applies also to fishing-vessels under steam of less than 40 tons gross tonnage when they are not actually engaged in fishing, but are under way.

(*b.*) A vessel of less than 40 tons gross tonnage when under steam shall not be obliged to carry the lights prescribed for other vessels under steam, but if she does not carry such lights she shall carry on or in front of her foremast, or on or in front of her funnel or somewhere in the fore part of the vessel where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light visible for at least 2 miles, so constructed as to show over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, namely, from right ahead to 2 points abaft the beam on either side; and such vessel shall further carry either (1) side-lights visible for at least 1 mile, or (2) a lantern with a green glass on the one side, and a red glass on the other, so constructed that it will show an unbroken green light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the starboard side, and an unbroken red light over an arc of the horizon of 10 points of the compass from right ahead to 2 points abaft the beam on the port side. This lantern shall be carried at not less than 3 feet below the white light before mentioned.

Article .—(*a.*) All fishing-vessels and fishing-boats of 20 tons gross tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

(*b.*) All vessels and boats when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them measured in a line with the keel of the vessel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character and contained in lanterns of such construction as to show all round the horizon, on a dark night, with a clear atmosphere, for a distance of not less than 3 miles.

Note.—The following sub-sections (*c*) and (*d*) and (*e*) of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea attached to any vessel in motion.

(*c.*) All vessels under steam when engaged in trawling, having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry on or in front of the foremast, and in the same position as the white light which other steam-ships are required to carry, a lantern showing a white light ahead, a green light on the starboard side, and a red light on the port side, such lantern to be so constructed, fitted, and arranged as to show an unbroken white light over an arc of the horizon of four points of the compass, an unbroken green light over an arc of the horizon of ten points of the compass, and an unbroken red light over an arc of the horizon of ten points of the compass, and it shall be so fixed as to show the white light from right ahead to two points on the bow on each side of the vessel, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side. Such vessels shall also carry a white light, in a lantern so constructed as to show a clear and unbroken light all round the horizon, the lantern containing such white light to be carried lower than the lantern showing the green, white, and red lights, as aforesaid, so however that the actual distance between them shall not be less than 6 feet nor more than 12 feet.

(*d.*) All sailing-vessels of 7 tons gross tonnage and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry from sunset to sunrise a white light, in a lantern so constructed as to show a clear and unbroken light all round the horizon, and also provide a sufficient supply of red pyrotechnic lights, which shall each burn for at least 30 seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light shall be shown from sunset to sunrise, and one of the pyrotechnic lights shall be shown on approaching to or being approached by another vessel, in sufficient time to prevent collision.

All lights mentioned above shall be visible at a distance of 2 miles.

(*e.*) Sailing-vessels of less than 7 tons gross tonnage ennaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall not be obliged to carry the white light mentioned in section (*d*) of this Article, but if they do not carry such light, they shall have at hand a lantern showing a bright white light, and shall, on approaching to or being approached by another vessel, exhibit it where it can best be seen, in sufficient time to prevent collision; and instead of showing a red pyrotechnic light they may show a flare-up light.

(*f.*) All vessels and boats when employed in line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels when engaged in fishing with drift-nets.

(*g.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor.

(*h.*) Fishing-vessels and boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, the flare-up lights shall be exhibited from the bow.

(*i.*) Every fishing-vessel and every boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*k.*) Fog-signals not discussed.

Inclosure 9 in No. 143.

Final Report of the Committee on Collocation of the Rules.

Sir, *Washington, D.C.*

IN compliance with the Resolution passed by the Conference on the 20th instant, your Committee have completed their former Report by embodying into the Regulations and Notes the changes and additions recently adopted by the Conference.

The final Regulations and Notes, as revised by your Committee, are hereto annexed in Appendices (A) and (B), respectively.

We have, &c.

(Signed) WM. W. GOODRICH, *Chairman* (United States).
Rear-Admiral DE SPAUN (Austria-Hungary).
DR. SIEVEKING (Germany).
CHARLES HALL (Great Britain).
S. TSUKAHARA (Japan).
Commodore MONASTERIO (Mexico).
Captain SALVESEN (Norway).
Vice-Admiral KAZNAKOFF (Russia).

To Rear-Admiral Samuel R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Appendix (A).

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Preliminary.

THESE Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "steam-vessel" shall include any vessel propelled by machinery.

A vessel is "under way" within the meaning of these Rules when she is not at anchor, or made fast to the shore, or aground.

The word "visible" in these Rules when applied to lights shall mean visible on a dark night, with a clear atmosphere.

Article 1. The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry—

(*a.*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(*b.*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c.*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e.*) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow measuring from the stern of the towing vessel to the stern of the last vessel towed exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in Article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Art. 4.—(*a.*) A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (*a*), where they can best be seen, and if a steam-vessel, in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes, each 2 feet in diameter.

(*b.*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (*a*), and if a steam-vessel, in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command, and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art 5. A sailing-vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails, of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned

in Article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:—

1. Steam-vessels of less than 40 tons shall carry—

(*a.*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (*a*), and of such a character as to be visible at a distance of at least 2 miles.

(*b.*) Green and red side-lights constructed and fixed as prescribed in Article 2 (*b*) and (*c*), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side, and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 8. Pilot-vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

On the near approach of or to other vessels they shall have their side-lights lighted ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side, and a red glass on the other, to be used as prescribed above.

Pilot-vessels when not engaged on their station on pilotage duty shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing-vessels and fishing-boats when under way, and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a.*) Vessels and boats when fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(*b.*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (*a*) a tricoloured lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards, shall carry white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least 30 seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea, the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision (*b*) 1 and 2 shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision (*b*) 2 of this Article, but if they do not carry such light, they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels, be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision (*b*) 2, or in lieu thereof a flare-up light.

(*c.*) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(*d.*) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, they shall be exhibited from the bow.

(*e.*) Every fishing-vessel and every boat when at anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*f.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to

a rock or other obstruction, she shall show the light and make the fog-signal prescribed for a vessel at anchor, respectively. (See Article 15 (*d*), (*e*), and last paragraph.)

(*g*.) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than 1 minute, make a blast; if steam-vessels with the whistle or siren, and if sailing-vessels with the fog horn, each blast to be followed by ringing the bell.

(*h*.) Sailing-vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light, visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights, and the two red lights prescribed by Article 4 (*a*).

Art. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use any denotating signal that cannot be mistaken for a distress signal.

Art. 13. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation, with respect to additional station and signal-lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen, one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Art. 15. All signals prescribed by this Article for vessels under way shall be given:—

1. By "steam-vessels" on the whistle or siren.
2. By "sailing-vessels and vessels towed" on the fog-horn.

The words "prolonged blast" used in this Article shall mean a blast of from 4 to 6 seconds' duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(*a*.) A steam-vessel having way upon her shall sound, at intervals of not more than 2 minutes, a prolonged blast.

(*b*.) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than 2 minutes, two prolonged blasts, with an interval of about 1 second between them.

(*c*.) A sailing-vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack, one blast, when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

(*d*.) A vessel, when at anchor, shall, at intervals of not more than 1 minute, ring the bell rapidly for about 5 seconds.

(*e*.) A vessel, at anchor at sea, when not in ordinary anchorage ground, and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than 2 minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or if a sailing-vessel, at intervals of not more than 1 minute, two blasts with her fog-horn, followed by ringing her bell.

(*f*.) A vessel, when towing, shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this Article, at intervals of not more than 2 minutes, sound three blasts in succession, viz., one prolonged blast, followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

* *Note.*—In all cases where the Rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

(*g.*) A steam-vessel wishing to indicate to another, "The way is off my vessel, you may feel your way past me," may sound three blasts in succession, viz., short, long, short, with intervals of about 1 second between them.

(*h.*) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer three prolonged blasts in succession.

(*i.*) A vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer four short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than 1 minute.

Speed of Ships to be moderate in Fog, &c.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing-vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz.:—

(*a.*) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(*b.*) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(*e.*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course: or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the cases admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed, or stop or reverse.

Art. 24. Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than 2 points abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fairway, or mid-channel, which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in Sight of one another.

Art. 28. The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz.:—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern."

No Vessel, under any circumstances, to neglect proper Precautions.

Art. 29. Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 30. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Distress Signals.

Art. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz.:—

In the daytime—

1. A gun fired at intervals of about a minute.
2. The International Code signal of distress, indicated by N C.
3. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.
4. Rockets or shells, as prescribed below for use at night.
5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute.
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.).
3. Rockets or shells, bursting in the air with a loud report, and throwing stars of any colour or description, fired one at a time at short intervals.
4. A continuous sounding with any fog-signal apparatus.

Appendix (B).

THE following Resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat:—

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.

2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.

3. The use of incandescent lamps should be permitted; the use of arc lights at present should be excluded for all purposes other than signalling and searching.

4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible after the lamp has been fitted with proper screens.

5. The lanterns should be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.

6. The colour of the glasses by which the colouring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red, rays, and that both colours can be readily and unmistakably distinguished.

7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.

8. The side-lights should be so screened as to prevent the most convergent rays of the lights being seen across the bows more than half-a-point.

9. The side-lights should be placed in steam-vessels not forward of the masthead-light.

10. To meet the number of complaints as to the absence of proper lights on sailing-vessels, the attention of the Powers is called to the better enforcement of the Regulations in that behalf.

11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.

12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam when the engines are stopped, in such a manner as to occasion as little noise as possible.

13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such squadron.

14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable, and as may be necessary, in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel, and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which, and to which, she is bound.

Inclosure 10 in No. 143.

Report of the Committee on Life-Saving Systems and Devices.

Sir, *Washington, December 5,* 1889.

THE Committee on Life-Saving Systems and Devices, appointed under a Resolution of the Marine Conference, was at first in doubt whether the terms of the Resolution gave it authority to consider and report upon all the topics embraced in Division V of the programme; but the subsequent action of the Conference in appointing Committees to report upon all the subjects of the other Divisions, yet making no further provision for those of Division V, seemed clearly to imply that it was intended that this Committee should deal with them. It has accordingly done so, and herewith submits its Report. The various subjects will be taken up in their order upon the programme.

1. Saving of life and property from shipwreck at sea.

"(*a*). Duties of vessels after collision."

What these duties are is obvious enough. Common humanity requires that the colliding vessels should remain by each other and render all needed assistance so long as they can do so consistently with their own safety. Experience shows, however, that masters of vessels frequently take advantage of the circumstances attending such disasters to escape from the scene without identification, in order to avoid responsibility. Several of the maritime nations have, therefore, imposed upon them the legal obligation of performing these natural duties. The extent to which they are evaded where such legal requirement does not exist is probably not generally appreciated. The Committee has had before it statistics of one such country, which show that in 8 per cent. of the collisions reported the master of one of the vessels leaves the other to take care of herself and her people, and gets away without being known. In these instances there was loss of life upon some of the vessels so abandoned, some of them went down, and all suffered damage. It would seem, then, that any effective measure which might prevent such a practice, or make it less frequent, would not only be in the interest of humanity, but also aid in securing justice in regard to the rights of property. The Committee, therefore, is of the opinion that, in case of collision between two vessels, the master or person in charge of each vessel should be required, so far as he can without danger to his own vessel, crew, or passengers, to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers, such assistance as may be practicable and necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and the names of the ports or the places from which and to which she is bound.

So far as the Committee can learn, the laws of those countries which have taken action upon the subject are to the above effect, substantially agreeing in defining the duties of masters, although the infraction of the law is differently dealt with in the different countries.

In expressing the foregoing opinion the Committee is unanimous, but a minority thinks the Conference should indicate what, in its opinion, the penalty of failure to comply with the duties prescribed should be. The majority, however, do not deem this necessary, believing that the consequences of disobedience to their laws can and will be properly taken care of by the several Governments, without suggestion from the Conference.

For the information of the Conference, the enactments of Great Britain upon the subject, which prescribe severer penalties for disregard of the duties imposed than those of any other nation, are appended to this Report. (See Appendix A.)

"(*b*). Apparatus for life-saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)"

The Government of Chile has made the most liberal provision that the Committee has knowledge of for the safety of life on shipboard, requiring her vessels to be furnished with boats sufficient in number and capacity to afford the greatest security possible to everybody on board in case of disaster. (See Appendix B.) The Committee, however, does not regard the universal application of this provision as practicable under existing conditions; it believes that the basis upon which an agreement between the several nations is most likely to be established is to be found in the "Rules of the Board of Trade" of Great Britain, under the "Merchant Shipping (Life-Saving Appliances) Act of 1888," which are to go into effect on the 31st March, 1890. These Rules provide for almost all cases that may arise under the vicissitudes of navigation, while they are sufficiently elastic to admit of adjustment to the various conditions existing in the countries interested, without violating their spirit. (See Appendix C.)

The Committee also recommends the extension of the principle of these Rules to all smaller craft as far as practicable, and that each vessel of this class should carry at least one life-buoy of approved pattern and material, and for every person on board an efficient life-belt or jacket.

The means of extinguishing fire on vessels has become to a considerable extent a matter relating to their construction, and the observation of members of the Committee is that in most vessels recently built great care is taken to make due provision in this respect, it being for the interest of the owners to do so. Most of the maritime nations have also enacted laws which provide for a suitable equipment of pumps and other devices. Perhaps, therefore, there is now no great necessity for action upon the subject by the Conference. However this may be, it would be impracticable for the Committee to prescribe any definite system, as it would involve a careful classification of vessels and a thorough study of a variety of apparatus, the necessary information and data for which it would be impossible to procure, properly consider, and report upon in season to be of avail to the Conference.

"(*c*). The use of oil, and the necessary apparatus for its use."

There has been placed before the Committee much matter relating to this subject, consisting chiefly of reports from vessels that have used oil for calming dangerous seas, accounts of trials and experiments made under various conditions, deductions drawn from such reports and experiments, and directions for the application of oil under various conditions and circumstances.

An examination of this material, and the information the Committee already possessed, have led to the conclusion that there need be no longer any doubt that the proper application of oil is efficacious on the open sea, but that there are conditions under which the action of breaking waves is not thereby much, if at all, modified. Its effect on the surf over bars at the mouths of rivers and those lying off beaches is especially doubtful. A Circular letter relative to the "Use of Oil at Sea," issued by the Board of Trade of Great Britain, says: "In a surf, or waves breaking on a bar, where a mass of liquid is in actual motion in shallow water, the effect of the oil is uncertain, as nothing can prevent the larger waves from breaking under such circumstances; but even here it is of some service." Other official documents declare that in an exhaustive series of experiments no effect whatever was produced upon the surf breaking over the outlying bars of beaches.

The Committee is of opinion that all sea-going vessels should be supplied with a proper quantity of animal or vegetable oil (which seems to be more effective than mineral), and with suitable appliances for its distribution. For ordinary voyages the quantity need not be large. The best means of distributing it that have been brought to the attention of

the Committee appear to be those specified by Vice-Admiral Cloué, published in a Circular issued by the French Government. (See Appendix D.)

"(*d*). Uniform inspections as to (*b*) and (*c*)."

If the maritime nations should agree upon uniform requirements in respect to life-saving apparatus to be carried on board ship, and as to the use of oil and the necessary apparatus for its use, uniform inspections might perhaps be advantageous, but it would be impossible to formulate an adequate system for this purpose without knowing definitely what those requirements might be; and even then it would be doubtful, considering the great diversity of administrative methods and machinery in different countries, whether any practicable system could be devised that would be acceptable to all.

2. Saving of life and property from shipwreck by operations from shore.

The Committee has had before it a number of valuable papers describing the organization and methods of institutions for the saving of life from shipwreck, and indicating the extent and results of their work. These will be found in Appendices (E) and (F). An examination of them clearly shows that these institutions are all managed by men whose hearts are in their work, and who may be trusted to use every means known to them for perfecting the apparatus and methods employed for the rescue of unfortunates cast upon their shores. The organization of the service in each country must necessarily vary according to the condition and temper of the people, and the character and habits of the coast population from which the men constituting the effective life-saving force must be drawn. It is, therefore, deemed impracticable to formulate any definite rules which would be applicable to all alike. It appears desirable, however, that the officers of very organization should study the features of the others, in order that they may adopt such improvements as seem suitable for their own. Some of the establishments appear to have been brought to a high degree of excellence.

It seems desirable that careful attention should be given to the frequent drilling and exercising of life-saving crews. It is also deemed important that a watch or patrol should, wherever practicable, be established upon dangerous coasts at night, and during thick weather by day, not only for the early discovery of wrecks, but in order to warn off vessels that may be incautiously standing into danger. Coastguards are established in various countries for the prevention of smuggling, and where this is the case they can be utilized to give timely notice and assistance to life-saving crews, or even to constitute such crews, as is already done in some countries.

With regard to special varieties of life-boats and other appliances, the Committee believes that the matter can be safely trusted to the judgment and discretion of the officers in charge of the life-saving institutions of the several countries. The requirements vary so greatly upon different coasts that boats and appliances effective in one place are often ill-adapted or useless in another. Besides, the preferences of the men employed have to be considered, they usually having greater confidence in particular models because they are accustomed to them. Confidence in the appliances a crew is required to use is, in general, an admitted essential to success. No one can judge of these matters so well as the officers whose duty it is to study the local conditions, and who are thoroughly acquainted with the prejudices and habitudes of the men.

It is desirable that officers of life-saving institutions should generally communicate freely with each other with reference to any improvements that may occur to them, either in apparatus, methods, or organization, with a view both to the diffusion of information concerning such matters, and to establishing an international comity with regard to a beneficent work.

With reference to sub-section (*d*), "Uniform means of transmitting information between stranded vessels and the shore," the Committee would say that co-operation between mariners upon a wrecked vessel and those who wish to assist them upon shore is of the highest importance. The most earnest attempts at aid may be rendered nugatory if the shipwrecked are not aware of what is required of them. In order to secure this co-operation various means have been devised in maritime countries, such as attaching tally-boards to the lines of the beach-apparatus, the publication of instructions in the official log-books distributed to vessels, the issuing of pamphlets or cards of such instructions, or the very excellent method of posting, in the forecastle, or some convenient place in a vessel, a durable placard showing by illustrations the manner in which life-saving lines are to be secured on board, and giving necessary instructions relative thereto.

All these measures are good, but the instructions have not been as generally distributed among vessels of all nationalities as they should be, and with a view to the universal diffusion of this information it is recommended that a uniform system of issuing and distributing such instructions be adopted by the several maritime nations.

The Committee is also of the opinion that the instructions generally issued do not adequately provide for co-operation between the ship and the shore, and that they should be supplemented by a few simple signals for the purpose of direct communication. The International Code can often be used in the daytime, but a still simpler system should be provided for the few signals required. It is believed that the signals absolutely necessary can be reduced to very few, and that the adoption and publication of such a system would be of great benefit in the emergencies of shipwreck.

If it be determined to establish an International Code of night-signals, such as is referred to in General Division VIII of the programme—("Night-Signals for communicating Information at Sea")—the signals needed for communicating at night between wrecked vessels and the shore ought to be incorporated therein. If it should prove impracticable to adopt a system of night-signals for the International Code, it may yet be worth considering whether the few signals needed for use at wrecks ought not to be adopted. Such a system is recommended by the Committee, and will be found described in detail in the fourth Resolution at the close of this Report. Every signal there mentioned has been found necessary in emergencies that have actually arisen in service.

3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

For countries which have not already provided, by legislative enactments, for official inquiries into the causes and circumstances of shipwrecks or other accidents to vessels that are of serious importance, the adoption of such laws is recommended, as it is believed that they are the most effective means by which masters and officers of vessels can be impressed with a proper sense of the serious responsibility that rests upon them, and that they therefore constitute one of the most important safeguards for life and property afloat that it is possible to devise. They would also add to the efficiency of laws designed to prevent the sending out of unseaworthy and overloaded vessels where such laws exist, and where they do not, would to a certain extent operate in their stead. They would, moreover, give information which might be of great value in showing the general causes and distribution of wrecks, and indirectly indicate the methods by which casualties might be averted or lessened.

The Committee has formulated the foregoing recommendations into the following propositions, which are submitted for the consideration of the Conference:—

1. * In every case of collision between two vessels, it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable, and as may be necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and also the names of the ports and places from which and to which she is bound.

2. *Resolved*,—That the Conference approves of the principle of the "Rules made by the Board of Trade of Great Britain under the Merchant Shipping (Life-Saving Appliances) Act, 1888," relating to boats and appliances to be carried on board ship for saving life; and recommends that the several Governments adopt measures to secure compliance with this principle in regard to such boats and appliances for vessels of 150 tons and upwards gross tonnage.

It is also recommended that the principle of these Rules be extended to all smaller craft as far as practicable; and that each vessel of this class should carry at least one life-buoy of approved pattern and material, and for every person on board an efficient life-belt or jacket.

3. *Resolved*,—That the Conference recommends that the several Governments require all their sea-going vessels to carry a sufficient quantity of animal or vegetable oil, for the purpose of calming the sea in rough weather, together with suitable means for applying it.

4. *Resolved*,—That the Conference recommends that all institutions for saving life from wrecked vessels prepare uniform instructions to mariners with reference to their co-operation with those attempting their rescue from the shore, and that said instructions include the following signals:—

Upon the discovery of a wreck by night the life-saving force will burn a red pyrotechnic light or a red rocket to signify—"You are seen; assstance will be given as soon as possible."

* *Note.*—This proposition is stated in the form and language of the "New Section" proposed November 26, 1889, to be added to the "Rules of the Road;" the consideration of which the Conference has voted to postpone, pending the presentation of this Repor

A red flag waved on shore by day, or a red light, red rocket, or red Roman candle displayed by night, will signify—"Haul away."

A white flag waved on shore by day, or a white light slowly swung back and forth, or a white rocket or white Roman candle fired by night will signify—"Slack away."

Two flags, a white and a red, waved at the same time on shore by day, or two lights, a white and a red, slowly swung at the same time, or a blue pyrotechnic light burned by night, will signify—"Do not attempt to land in your own boats. It is impossible."

A man on shore beckoning, by day, or two torches burning near together, by night, will signify—"This is the best place to land."

Any of these signals may be answered from the vessel as follows: In the day-time—by waving a flag, a handkerchief, a hat, or even the hand; at night—by firing a rocket, a blue light or a gun, or by showing a light over the ship's gunwale for a short time and then concealing it.

And it is recommended that the several Governments take measures to keep all their sea-going vessels supplied with copies of such instructions.

5. *Resolved*,—That the Conference recommends that the several nations provide by legislative enactments for official inquiry into the causes and circumstances of all shipwrecks and other serious casualties happening to their vessels.

The Committee has examined a large number of devices and projects relating to the saving of life from shipwreck, a list of which will be found below. Many of them indicate considerable ingenuity, and their number and variety show the great amount of interest and attention that this subject is receiving. The Committee has consulted them freely in reaching conclusions relative to the topics placed before it, but has not deemed it advisable to make specific recommendations regarding any particular device or plan, believing that such action is not expected of it by the Conference. Furthermore, to reach conclusions with regard to many of them would involve experiments or trials beyond the power of the Committee. To recommend those whose merits were already known to the Committee or which required no such tests might be unfair to the others.

(Signed) S. I. KIMBALL, *Chairman, Delegate from the United States.*
THO. VERBRUGGHE, *Delegate for Belgium.*
O. VIEL, *Delegate from Chile.*
A. M. BISBEE, *Delegate for China.*
E. RICHARD, *Delegate from France.*
A. FEIGEL, *Delegate from Germany.*
HENRY WYATT, *Delegate from Great Britain.*
VAN STEYN, *Delegate for the Netherlands.*
B. VEGA DE SEOANE, *Delegate from Spain.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

DEVICES AND PROJECTS SUBMITTED TO THE COMMITTEE.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
1	Jas. W. Crabbe, N. Y. City ..	Life-boats and passage-ways on steamers.	Examined. Referred to Committee No. 1.
2	Tucker-Kayess and Harrison..	Life-saving direction rocket ..	Examined.
3	M. Bing, Christiana, Norway. Forwarded by M. Flood.	Apparatus for discharging oil ..	Examined.
4	G. N. McKibben, 46, W. 51st St., N. Y. City.	Oil-distributing cartridge ..	Examined.
5	Aloha Vivarttas, 75, South St., N. Y. City.	Regarding life-saving service ..	Examined.
6	T. L. Reed, La Porte City, Iowa.	Device for detaching and controlling life-buoys.	Examined.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
7	Henry Hentz, 8, S. William St., N. Y. City.	Recommends that vessels carry line-throwing projectiles.	No description or device.
8	R. F. Hunter, 225, East Capitol St., Washington, D. C.	Cunningham life-saving rocket ..	Examined.
9	A. G. Sorensen, Stockholm, Sweden.	Recommends that relief ships be stationed at suitable points on the Atlantic Ocean	Examined.
10	John Wainwright, Wilmington, Delaware.	Recommends the use of oil to calm the sea.	Proposes no system or device.
11	John Ericson, Sabine Pass, Louisiana.	Automatic oil-distributor for ships	Examined.
12	Albert H. Walker, 274, Main St., Hartford, Conn.	Sea-oiling rocket and sea-oiling projectile.	Examined.
13	Daniel Ammen, Rear-Admiral, U. S. Navy.	Balsa life-raft.	Examined.
14	Hunt and Bartleman, 22, Congress St., Boston, Mass.	Hunt's life-line projectile and gun. Hunt's sea-flames or life-buoy flares.	Examined.
15	Miller and McCorvie, Arrowtown, Otago, New Zealand.	Device for conveying a line ashore by means of a kite.	Examined.
16	D. R. Dawson, 57, Meadowside, Dundee, Scotland.	Gun for throwing life-lines and signals.	No description or model submitted.
17	A. Van Vliet, 59, N. 1st St., Patterson, N. J.	Suggests that lights should be projected through fog.	Not within scope of the Committee.
18	A. G. Belden and Co., 145, Maiden Lane, N. Y. City.	Wave-quelling oil	Examined.
19	Stewart Newell, 121, W. 15th St., N. Y. City.	Proposes that vessels patrol the principal routes of European travel to afford relief to distressed vessels.	Examined.
20	Jno. R. Winton, N.C.	Patent signals to prevent collisions at sea.	Examined.
21	Alfred St. Leger, Hobart, Tasmania.	Proposes use of bows and arrows for effecting line communication between wrecked vessels and the shore, and between vessels at sea.	Examined.
22	Cavendish S. Lapslie, Smollet St., Abury, N. S. Wales.	Anti-colliding safety check for vessels.	Not within the scope of Committee.
23	Capt. D. R. Post, Deep River, Conn.	Suggests use of extra light when off Cape Horn.	Not within the scope of Committee.
24	A. B. Wyckoff, Lieut., U. S. Navy.	Advocating the use of oil at sea..	Examined.
25	— Wyckoff, 263, 9th St., N.E., Phila., Penn.	Imperishable floating safe ..	Not within the scope of Committee.
26	J. T. Walker, Capt., U. S. Army, N. Y. City.	Refers to establishment of a system of international deep-sea light-houses.	Examined.
27	Robt. McDonald, N. Y. ..	Venetian shutter for stopping leaks and repairing damaged hulls.	Examined. Referred to Committee No. 1.
28	T. B. Viele	Patent for stopping leaks in vessels.	Examined. Referred to Committee No. 1.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
29	N. C. Jessup, Suffolk Co., N. Y.	Patent life-boat	No description or device.
30	Thos. Raftery, N. Y. City ..	Ships' fenders	Examined. Referred to Committee No. 1.
31	Armistead Rust, Ensign, U. S. Navy.	Device for improved life-buoy ..	Examined.
32	A. D. Newell, New Brunswick, N. J.	Floating life-line carrier ..	Examined.
33	American Patent-Right Corporation, Philadelphia, Penn.	Leak-stopper after collision ..	Examined. Referred to Committee No. 1.
34	David Kahnweiler, 146, Worth St., N. Y. City.	Improved patent life-preserver and metallic life-raft.	Examined.
35	Alfred Marshall, Woodbury, N. J.	Directions for putting on life-preserver.	Examined.
36	Philip Hichborn, Naval Constructor, U. S. Navy.	Franklin life-buoy	Examined.
37	J. R. Selfridge, Lieutenant, U. S. Navy.	Supply box to be carried in life or quarter-boats.	Examined.
38	N. Y. Branch Hydrographic Office. Mersey Docks and Harbour Board. National Board of Marine Underwriters, N. Y. Philadelphia Marine Exchange. Liverpool Humane Society.	Views on programme of subjects .	Examined.
39	Steamer "Old Point Comfort." Bay Line steamer "Georgia." Novia Scotia ship "Sapphire."	Views on programme of subjects .	Examined.
40	Sergt. Paul Daniels, U. S. Signal Service. Mr. R. B. Forbes. Mr. D. A. Nash, Pilot Commissioner, N. Y. Oelrichs and Co., Agents, N. German Lloyd's S.S. Co.	Views on programme of subjects .	Examined.
41	Branch Hydrographic Offices —New York, Norfolk, Boston, San Francisco, and Baltimore.	General information gained in interviews with masters of vessels.	Examined.
42	Branch Hydrographic Office, Philadelphia.	Views on programme of subjects .	Examined.
43	Branch Hydrographic Office, Portland, Oregon.	Views on programme of subjects .	Examined.
44	Geo. P. Blow, Ensign, U. S. Navy.	Report on subjects to be considered by the Conference.	Examined.
45	George Learman, 33, South St., N. Y. City.	Standard self-detaching davit fall-hook.	Examined.
46	Wm. C. Foulks, 153, N. 15th St., Philadelphia, Penn.	Bow propellers to aid in steering..	Not within the scope of Committee.
47	David W. Low, Gloucester, Mass.	Life-saving apparatus for boats ..	Examined.
48	F. Olaf Larsen, Copenhagen..	Oil-distributing bag	Examined.
49	Branch Hydrographic Office, New York.	Views on various points in programme of subjects.	Examined.
50	Northern Maritime Conference, Copenhagen.	Memorandum on general subjects of programme.	Examined.

No.	Name and Address of Writer.	Subject.	Remarks of Committee.
51	W. Guthrie, Chicago, Ill. ..	Suggests use of carbonic acid gas in extinguishing fire.	Received too late for consideration by Committee.
52	H. F. Coombs, St. John, New Brunswick.	A narrative of dangers of the sea	Examined.

Appendix (A).

Report of Committee on Life-Saving Systems and Devices.

Extract from "Merchant Shipping Act, 1873."

Duties of Masters in Case of Collision.

SECTION 16. In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable, and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and also the names of the ports and places from which and to which she is bound.

If he fails so to do, and no reasonable cause for such failure is shown, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default.

Every master or person in charge of a British vessel who fails, without reasonable cause, to render such assistance or give such information as aforesaid, shall be deemed guilty of a misdemeanour, and if he is a certificated officer, an inquiry into his conduct may be held, and his certificate may be cancelled or suspended.

Appendix (B).

Report of Committee on Life-Saving Systems and Devices.

Extract from the Laws of Chile.

(Translation.)

Chapter III.—*Small Boats.*

ARTICLE 13. The vessels to which Article 1 refers shall keep empty, in good state for service, and ready to be launched at sea at any moment, the number of small boats in proportion to the crew specified below:—

Crew of from 2 to 5 men, including the captain, 1 boat, with capacity for 10 men.
Crew of from 6 to 10 men, including the captain, 2 boats, with capacity for 20 men.
Crew of from 11 to 20 men, including the captain, 3 boats with capacity for 40 men.
Crew of from 21 to 30 men, including the captain, 4 boats, with capacity for 50 men.
Crew of from 31 to 50 men, including the captain, 4 boats, with capacity for 70 men.
Crew of from 51 to 70 men, including the captain, 5 boats, with capacity for 100 men.
Crew of from 71 to 100 men, including the captain, 6 boats, with capacity for 150 men.

For each gang of 30 men exceeding 100 a larger boat shall be required, with a capacity for 50 men.

In order to determine the capacity of a boat, its tonnage shall be considered, the capacity for one individual being reckoned equal to each fraction of ·15 of a ton contained, if it is a double-benched boat, and ·25 if it is single.

Article 14. The dimensions of each one of the boats may vary according to the discretion of the ship-owner, providing always that none of the boats equipped shall be of less than $1\frac{1}{2}$ tons burden, and that the total shall reach the tonnage required by Regulation according to the number of individuals of its equipment.

Nevertheless, those vessels that carry a crew of more than forty men shall replace at least one of its boats by a life-saving boat which can conveniently accommodate thirty men.

Article 15. All the boats of the equipment shall be fitted out completely and in good condition, the captains seeing that the oars, masts, and yards are found fastened to the thwarts, and the sails and tools properly arranged in sacks or cases, in order that in an emergency they may be adjusted without difficulty in the several boats to which they belong.

Equal care shall be taken that they are kept clean, painted, and covered, and that they are washed sufficiently to prevent their becoming dry.

The loss, damage, or destruction of the small boats must be repaired at the first available port.

Appendix (C).

Report of Committee on Life-Saving Systems and Devices.

Report made to the Board of Trade by the Committee appointed by that Board, in pursuance of "The Merchant Shipping (Life-Saving Appliances) Act, 1888" (51 & 52 Vict., cap. 24).

[Presented to both Houses of Parliament by Command of Her Majesty.]

Life-Saving Appliances Committee, 7, Whitehall Gardens, London, April 11, 1889.

Sir,

IN compliance with the request contained in your Minute of the 12th November, 1888, we have the honour to report that we have carefully considered the matters referred to in the second schedule of "The Merchant Shipping (Life-Saving Appliances) Act, 1888," viz.:—

"1. The arranging of British ships into classes, having regard to the services in which they are employed, to the nature and direction of the voyage, and to the number of persons carried.

"2. The number and description of the boats, life-boats, life-rafts, life-jackets, and life-buoys to be carried by British ships, according to the class in which they are arranged and the mode of their construction; also the equipments to be carried by the boats and rafts, and the methods to be provided to get the boats and other life-saving appliances into the water; such methods may include oil for use in stormy weather.

"3. The quantity, quality, and description of buoyant apparatus to be carried on board ships carrying passengers, either in addition to or in substitution for boats, life-boats, life-rafts, life-jackets, and life-buoys."

We now submit herewith Rules which we have prepared, and which we advise should be made under the Act. These Rules, if adopted, will, we think, insure that ships of different classes shall be provided with such appliances for saving life at sea as (having regard to the nature of the services in which they are employed, and the avoidance of undue incumbrance of the ships' decks) are best adapted for securing the safety of their crews and passengers.

As we are, fortunately, unanimous in our recommendation of the Rules submitted, we do not think it necessary to trouble you with any account of the reasons that have led to our conclusions further than to state that we have, throughout, proceeded on the assumption that we had simply to arrange British ships into classes, having regard, among other matters, to the larger or smaller number of persons they are likely to carry, and to advise what life-saving appliances can properly be provided for the ships of each class.

We have, &c.

(Signed) THOS. H. ISMAY, *Chairman.*
J. G. S. ANDERSON, *Vice-Chairman.*
DONALD KENNEDY.
G. A. LAWS.
NATHL. DUNLOP.
G. ELDRIDGE.
WM. JOHN.
GEO. ARMSTRONG.
JOHN LEES.
HY. JNO. WARD.
MATTHEW CALLAGHAN.
TOM SUMNER LEMON.
S. I. DACOSTA.
C. R. TATHAM.
JAS. B. BUTCHER.

(Signed) Walter J. Howell, *Secretary.*

P.S.—We have shown some appreciation of the importance of efficient subdivision of ships in Class 1, Division (A), paragraph (*g*), of these Rules, but we consider it our duty to further express our sense of the importance of the question, and to recommend that it should be investigated by a Committee of duly qualified persons, the subject, as a whole, having been held to be outside the scope of the reference to this Committee.

(Signed) THOS. H. ISMAY, *Chairman.*
J. G. S. ANDERSON, *Vice-Chairman.*
DONALD KENNEDY.
G. A. LAWS.
G. ELDRIDGE.
WM. JOHN.
GEO. ARMSTRONG.
JOHN LEES.
HY. JNO. WARD.
MATTHEW CALLAGHAN.
*
S. I. DACOSTA.
C. R. TATHAM.
JAS. B. BUTCHER.

(Signed) Walter J. Howell, *Secretary.*

To the Right Hon. Sir Michael E. Hicks Beach, Bart., M.P.,
President of the Board of Trade.

Note.—Mr. T. S. Lemon is now absent abroad.

Rules made by the Board of Trade under "The Merchant Shipping (Life-Saving Appliances) Act, 1888" (51 & 52 Vict., cap. 24), to come into force on the 31st March, 1890.

At the Council Chamber, Whitehall, this 28th day of June, 1889.

Present:

THE RIGHT HONOURABLE SIR MICHAEL E. HICKS BEACH, BART., M.P.

In pursuance of the provisions of "The Merchant Shipping (Life-Saving Appliances) Act, 1888," the Board of Trade do hereby make the annexed Rules relating to life-saving appliances. These Rules shall come into effect on the 31st March, 1890.

(Signed) M. E. HICKS BEACH.

"MERCHANT SHIPPING (LIFE-SAVING APPLIANCES) ACT, 1888."

For the purposes of these Rules, British ships shall be arranged into the following classes:—

Page

CLASS 1.—Division (A) 214
Steam-ships carrying emigrant passengers subject to all the provisions of the "Passengers Acts."

CLASS 1.—Division (B) 214
Sailing-ships carrying emigrant passengers subject to all the provisions of the "Passengers Acts."

CLASS 2.—Division (A) 215
Foreign-going steam-ships having passenger certificates under the "Merchant Shipping Acts."

CLASS 2.—Division (B) 215
Foreign-going sailing-ships carrying passengers, but *not* subject to all the provisions of the "Passengers Acts."

CLASS 3.—Division (A) 215
Foreign-going steam-ships *not* certified to carry passengers.

CLASS 3.—Division (B) 215
Foreign-going sailing-ships *not* carrying passengers.

CLASS 4.—Division (A) 215
Steam-ships having passenger certificates under the "Merchant Shipping Acts" authorizing them to carry passengers anywhere within the home trade limits, that is to say, between places in the United Kingdom, or between the United Kingdom and ports in Europe between the River Elbe and Brest.

CLASS 4.—Division (B) 216
Steam-ships in the same trades *not* certified to carry passengers.

CLASS 4.—Division (C) 216
Sailing-ships in the same trades *not* carrying passengers.

CLASS 5... 216
Steam-ships having passenger certificates authorizing them to carry passengers within certain specified limits of the home trade; that is to say, on short specified passages along the coasts of the United Kingdom, or between Great Britain and Ireland, or between Great Britain or Ireland and the Isle of Man.

CLASS 6... 216
Steam-ships carrying passengers on short excursions or pleasure trips, to sea, or in estuaries or mouths of rivers during daylight, or across the Straits of Dover.

CLASS 7... 217
Steam-ships carrying passengers on rivers (and) (or) lakes, but not going to sea or into rough waters.

GENERAL RULES 217

Class 1.—Division (A).

Rules and Table for Steam-ships carrying Emigrant Passengers, subject to all the Provisions of the "Passengers Acts."

(*a.*) Ships of this Division shall carry boats placed under davits, having proper appliances for getting them into the water, in number and capacity not less than are given in the following Table; the boats to be equipped and of the description defined in the General Rules appended hereto.

(*b.*) Provided that no ship of this Division shall be required to carry more boats so placed than will furnish sufficient accommodation for all persons on board.

(*c.*) Masters or owners of ships of this Division claiming to carry fewer boats than are given in the following Table must declare before the Collector or other officer of Customs, at the time of clearance, that the boats actually placed under davits are sufficient to accommodate all persons on board, allowing 10 cubic feet of boat capacity per Rule 2, p. 9,* for each adult person, or "statute adult."

(*d.*) Table for Class 1 (Division A):—

Gross Tonnage.	Minimum Number of Boats to be placed under Davits.	Total Minimum Cubic Contents of Boats to be placed under Davits. L. × B. × D. × ·6.	Gross Tonnage.	Minimum Number of Boats to be placed under Davits.	Total Minimum Cubic Contents of Boats to be placed under Davits. L. × B. × D. × ·6.
1.	2.	3.	1.	2.	3.
9,000 and upwards.	14	5,250	4,000 and under 4,250	8	2,800
8,500 and under 9,000	14	5,100	3,750 „ 4,000	8	2,700
8,000 „ 8,500	14	5,000	3,500 „ 3,750	8	2,600
7,750 „ 8,000	12	4,700	3,250 „ 3,500	8	2,500
7,500 „ 7,750	12	4,600	3,000 „ 3,250	8	2,400
7,250 „ 7,500	12	4,500	2,750 „ 3,000	6	2,100
7,000 „ 7,250	12	4,400	2,500 „ 2,750	6	2,050
6,750 „ 7,000	12	4,300	2,250 „ 2,500	6	2,000
6,500 „ 6,750	12	4,200	2,000 „ 2,250	6	1,900
6,250 „ 6,500	12	4,100	1,750 „ 2,000	6	1,800
6,000 „ 6,250	12	4,000	1,500 „ 1,750	6	1,700
5,750 „ 6,000	10	3,700	1,250 „ 1,500	6	1,500
5,500 „ 5,750	10	3,600	1,000 „ 1,250	4	1,200
5,250 „ 5,500	10	3,500	750 „ 1,000	4	1,000
5,000 „ 5,250	10	3,400	500 „ 750	4	800
4,750 „ 5,000	10	3,300	250 „ 500	2	400
4,500 „ 4,750	8	2,900	150 „ 250	2	300
4,250 „ 4,500	8	2,900			

Note.—Where in vessels already fitted the required cubic contents of boats placed under davits is provided, although by a smaller number of boats than the minimum required by this Table, such boats shall be regarded as complying with these Rules.

(*e.*) Not less than half the number of boats placed under davits shall be boats of section (A), p. 9,* or section (B), p. 9.* The remaining boats may also be of such description, or may, in the option of the ship-owner, conform to section (C), p. 9,* or section (D), p. 9,* provided that not more than two boats shall be of section (D).

(*f.*) If the boats placed under davits in accordance with the foregoing Table (*d*) do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible, or other boats of approved description (whether placed under davits or otherwise) or approved life-rafts shall be carried.

Subject to the provision contained in paragraph (*b*) of these Rules, such additional boats or rafts shall be of at least such carrying capacity that they and the boats required to be placed under davits by Table (*d*) provide together in the aggregate double the minimum cubic contents required by column 3 of that Table.

All such additional boats or rafts shall be placed as conveniently for being available as the ship's arrangements admit of, having regard to the avoidance of undue encumbrance of the ship's deck, and to the safety of the ship for her voyage.

(*g.*) When ships are divided into efficient water-tight compartments, so that, with any two of them in free communication with the sea, the ship will remain afloat in moderate weather, they shall only be required to carry additional boats or life-rafts of one-half of the capacity required by paragraph (*f*) of these Rules.

(*h.*) In addition to the life-saving appliances before mentioned, ships of this Division shall carry not less than one approved life buoy (Rule 11 (*a*) or 11 (*b*), pp. 10, 11†) for every boat placed under davits. They shall also carry approved life-belts (Rule 10, p. 10†) or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

Class 1.—Division (B).

Rules for Sailing-ships carrying Emigrant Passengers, subject to all the Provisions of the "Passengers Acts."

(*a.*) Ships of this Division shall carry boats in accordance with the Table (*d*) provided for Division (A) of this Class, and such boats shall be, as far as practicable, placed under davits, with

* See p. 217. † See p. 218.

proper appliances for getting them into the water, to the satisfaction of the Board of Trade officer; such of these boats as are not placed under davits being so carried that they can also be readily got into the water to the satisfaction of the Board of Trade officer.

(*b.*) If the boats so carried do not furnish sufficient accommodation for all persons on board, then additional life-saving appliances shall be supplied as for ships in Division (A) of this Class.

(*c.*) Provided that no ship in this Division shall be required to carry more boats than will furnish accommodation for all persons on board.

(*d.*) Approved life-belts (Rule 10, p. 10*) or other similar approved articles shall be carried as required for ships of Class 1, Division (A), and also one life-buoy (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*) for each boat of wood or metal.

Class 2.—Division (A).

Rules for Foreign-going Steam-ships having Passenger Certificates under the "Merchant Shipping Acts."

Ships of this Division shall be subject to the same requirements as those in Class 1, Division (A).

Class 2.—Division (B).

Rules for Foreign-going Sailing-ships carrying Passengers, but not subject to all the Provisions of the "Passengers Acts."

Ships of this Division shall be subject to the same requirements as those in Class 1, Division (B).

Class 3.—Division (A).

Rules for Foreign-going Steam-ships not certified to carry Passengers.

(*a.*) Ships of this Division shall carry, on each side, at least so many and such boats of wood or metal placed under davits (of which one on each side shall be a boat of section (A), p. 9,† or of section (B), p. 9†), that the boats on each side of the ship shall be sufficient to accommodate all persons on board. They shall have proper appliances for getting the boats into the water.

(*b.*) They shall carry approved life-belts, as required for ships of Class 1, Division (A).

(*c.*) They shall carry not less than six approved life-buoys (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*).

Class 3.—Division (B).

Rules for Foreign-going Sailing-ships not carrying Passengers.

(*a.*) Ships of this Division shall carry boats in accordance with the Table provided for Class 1, Division (B), and in addition thereto one good serviceable boat of section (D), p. 9.† Such boats shall be, as far as practicable, placed under davits, with proper appliances for getting them into the water, to the satisfaction of the Board of Trade officer.; such boats as are not placed under davits being so carried that they also can readily be got into the water to the satisfaction of the Board of Trade officer.

(*b.*) They shall carry approved life-belts, as required for ships in Class 1, Division (B), and also one life-buoy (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*) for each boat of wood or metal.

Class 4.—Division (A).

Rules for Steam-ships having Passenger Certificates under the "Merchant Shipping Acts" authorizing them to carry Passengers anywhere within the Home Trade limits; that is to say, between places in the United Kingdom or between the United Kingdom and Ports in Europe between the River Elbe and Brest.

(*a.*) Ships of this Division shall carry boats placed under davits in accordance with the Rules and Table provided for ships in Class 1, Division (A).

(*b.*) If the boats placed under davits in accordance with this requirement do not furnish sufficient

* See p. 218. † See p. 217.

accommodation for all persons on board, then additional approved boats or approved life-rafts shall be supplied as for ships of Class 1, Division (A).

(*c.*) Provided that if (having regard to the avoidance of undue incumbrance of the ship's deck, and to the safety of the ship for her voyage) it is not practicable for a ship of this Division to carry additional approved boats or approved life-rafts as are required for ships of Class 1, Division (A), (*f*), the deficiency so caused may be made up by the supply of an equivalent number of approved buoyant deck seats or other approved buoyant deck fittings, to the satisfaction of the Board of Trade officer.

(*d.*) Ships of this Division shall carry not less than six approved life-buoys (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*).

(*e.*) They shall also carry, in addition to the boats and appliances required above, approved life-belts (Rule 10, p. 10*) or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

Class 4.—Division (B).

Rules for Steam-ships in the same Trades not certified to carry Passengers.

(*a.*) Ships of this Division shall carry, on each side, at least so many and such boats of wood or metal placed under davits (of which one on each side shall be a boat of section (A), p. 9,† or of section (B), p. 9†), that the boats on each side of the ship shall be sufficient to accommodate all persons on board. They shall have proper appliances for getting the boats into the water.

(*b.*) They shall carry approved life-belts as for ships of Class 1, Division (A).

(*c.*) They shall carry not less than four approved life-buoys (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*).

Class 4.—Division (C).

Rules for Sailing-ships in the same Trades not carrying Passengers.

(*a.*) Ships of this Division shall carry a boat or boats of wood or metal, at least sufficient for all persons on board, and in such a position as to be readily got into the water, to the satisfaction of the Board of Trade officer. Each boat shall be provided with 1 gallon of vegetable or animal oil in a vessel of an approved pattern for distributing it in the water in rough weather.

(*b.*) They shall carry an approved life-belt (Rule 10, p. 10*) for each person on board.

(*c.*) They shall carry at least two approved life-buoys (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*).

Class 5.

Rules for Steam-ships having Passenger Certificates authorizing them to carry Passengers within certain specified limits of the Home Trade; that is to say, on short specified Passages along the Coasts of the United Kingdom, or between Great Britain and Ireland, or between Great Britain or Ireland and the Isle of Man.

(*a.*) Ships of this Division shall, according to their tonnage, carry boats placed under davits, as required by the Table for ships in Class 1, Division (A).

(*b.*) If the boats placed under davits in accordance with the above requirements do not furnish sufficient accommodation for all persons on board, then additional boats or approved life-rafts shall be supplied as for ships of Class 1, Division (A).

(*c.*) Provided that if (having regard to the avoidance of undue incumbrance of the ship's deck, and to the safety of the ship for her voyage) it is not practicable for a ship of this Division to carry additional approved boats or approved life-rafts as required for ships of Class 1, Division (A), the deficiency so caused may be made up by the supply of an equivalent number of approved buoyant deck seats or other approved buoyant deck fittings to the satisfaction of the Board of Trade officer.

(*d.*) Ships of this Division shall also carry approved life-belts (Rule 10, p. 11*) or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

(*e.*) At least one approved life-buoy (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*) shall also be provided for each boat of wood or metal carried by the ship, but in no case shall less than six approved life-buoys be provided.

Class 6.

Rules for Steam-ships carrying Passengers on short Excursions or Pleasure Trips to Sea, or in Estuaries or Mouths of Rivers during daylight, or across the Straits of Dover.

(*a.*) Ships of this class shall carry at least two boats of section (A), p. 9,† or section (B), p. 9,† placed under davits, and with proper appliances for getting them into the water.

* See p. 218. † See p. 217.

(*b.*) They shall also carry other boats, approved buoyant apparatus (Rule 9, p. 10*) [and] [or] approved life-belts (Rule 10, p. 10*) sufficient (with the boats) to keep afloat all the persons on board the ship.

(*c.*) At least four approved life-buoys (Rule 11 (*a*) or 11 (*b*), pp. 10, 11*) shall be carried.

CLASS 7.

Rules for Steam-ships carrying Passengers on Rivers [and] [or] Lakes, but not going to Sea or into Rough Waters.

(*a.*) Ships of this class shall carry one boat in such a position that she can readily be got into the water. They shall also carry approved buoyant apparatus (Rule 9, p. 10*) or approved life-belts (Rule 10, p. 10*) and approved life-buoys (Rule 11, p. 10*) at least sufficient, together with the boat, to keep afloat all persons carried on board.

(*b.*) At least four approved life-buoys shall be carried.

Note.—A discretion to be exercised by the Board of Trade officer to relieve ferry-boats in narrow waters from the operation of Rule (*a*) of this class.

GENERAL RULES.

1. *Boats.*

Note.—All boats shall be properly equipped as provided by these Rules.

Section (A). A boat of this section shall be a life-boat properly constructed of wood or metal, having for every 10 cubic feet of her capacity, computed as in 2, at least 1½ cubic feet of strong and serviceable inclosed air-tight compartments, such that water cannot find its way into them.

Sec. (B). A boat of this section shall be a life-boat properly constructed of wood or metal, having inside and outside buoyancy apparatus together equal in efficiency to the buoyancy apparatus provided for a boat of section (A). At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Sec. (C). A boat of this section shall be a life-boat properly constructed of wood or metal, having some buoyancy apparatus attached to the inside [and] [or] outside of the boat equal in efficiency to one-half of the buoyancy apparatus provided for a boat of section (A) or section (B). At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Sec. (D). A boat of this section shall be a properly constructed boat of wood or metal.

Sec. (E). A boat of this section shall be a boat of approved form and material, which may be collapsible.

2. *Cubic Capacity.*—The cubic capacity of a boat shall be deemed to be her cubic capacity, ascertained (as in measuring ships for tonnage capacity) by Stirling's Rule; but as the application of that Rule entails much labour, the following simple plan, which is approximately accurate, may be adopted for general purposes, and when no question requiring absolutely correct adjustment is raised:—

Measure the length and breadth outside and the depth inside. Multiply them together and by ·6; the product is the capacity of the boat in cubic feet. Thus, a boat 28 feet long, 8 ft. 6 in. broad, and 3 ft. 6 in. deep, will be regarded as having a capacity of $28 \times 8{\cdot}5 \times 3{\cdot}5 \times {\cdot}6 = 499{\cdot}8$, or 500 cubic feet. If the oars are pulled in rowlocks, the bottom of the rowlock is to be considered the gunwale of the boat for ascertaining her depth.

3. *Number of Persons for Boats of Section* (A).—The number of persons a boat of section (A) shall be deemed fit to carry shall be the number of cubic feet ascertained as in 2, divided by 10. Thus, a boat whose cubic contents are 500 cubic feet, is deemed to be sufficient for fifty adult persons. The space in the boat shall be sufficient for the seating of the persons carried in it, and for the proper use of the oars.

4. *Number of Persons for other Boats.*—The number of persons a boat of section (B), (C), (D), or (E) shall be deemed fit to carry shall be the number of cubic feet ascertained as in 2, divided by 8.

5. *Appliances for lowering Boats.*—Appliances for getting a boat into the water must fulfil the following conditions: Means are to be provided for speedily detaching the boats from the lower blocks of the davit tackles; the boats placed under davits are to be attached to the davit tackles and kept ready for service at any moment; the davits are to be strong enough and so spaced that the boats can be swung out with facility; the points of attachment of the boats to the davits are to be sufficiently away from the ends of the boats to insure their being easily swung clear of the davits; the boats' chocks are to be such as can be expeditiously removed; the davits, falls, blocks, eye-bolts, rings, and the whole of the tackling are to be of sufficient strength; the boats' falls are to be long enough to lower the boat into the water with safety when the vessel is light; the life-lines fitted to the davits are to be long enough to reach the water when the vessel is light; and hooks are not to be attached to the lower tackle blocks.

6. *Equipments for Collapsible or other Boats and for Life-rafts.*—In order to be properly equipped each boat shall be provided as follows:—

(*a.*) With the full [single-banked] complement of oars, and two spare oars.

* See p. 218.

(*b.*) With two plugs for each plug-hole, attached with lanyards or chains, and one set and a-half of thole pins or crutches, attached to the boat by sound lanyards.

(*c.*) With a sea anchor, a bailer, a rudder and tiller, or yoke and yoke-lines, a painter of sufficient length, and a boat-hook. The rudder and bailer to be attached to the boat by sufficiently long lanyards, and kept ready for use.

(*d.*) A vessel to be kept filled with fresh water shall be provided for each boat.

(*e.*) Life-rafts shall be fully provided with a suitable equipment.

7. *Additional Equipments for Boats of Section* (A) *and Section* (B).—In order to be properly equipped, each boat of sections (A) and (B), in addition to being provided with all the requisites laid down in 6, shall be equipped as follows [but not more than four boats in any one ship require to have this outfit]:—

(*a.*) With two hatchets or tomahawks, one to be kept in each end of the boat, and to be attached to the boat by a lanyard.

(*b.*) With a mast or masts, and with at least one good sail, and proper gear for each.

(*c.*) With a life-line, in loops run round the outside of the boat and securely made fast.

(*d.*) With an efficient compass.

(*e.*) With 1 gallon of vegetable or animal oil, in a vessel of an approved pattern, for distributing it in the water in rough weather.

(*f.*) With a lantern trimmed, with oil in its receiver sufficient to burn eight hours.

8. *Number of Persons for Life-Rafts.*—The number of persons that any approved life-raft for use at sea shall be deemed to be capable of carrying shall be determined with reference to each separate pattern approved by the Board of Trade; provided always that for every person so carried there shall be at least 3 cubic feet of strong and serviceable inclosed air-tight compartments, such that water cannot find its way into them. Any approved life-raft of other construction may be used, provided that it has equivalent buoyancy to that hereinbefore described. Every such approved life-raft shall be marked in such a way as to plainly indicate the number of adult persons it can carry.

9. *Buoyant Apparatus.*—Approved buoyant apparatus shall be deemed sufficient for a number of persons, to be ascertained by dividing the number of pounds of iron which it is capable of supporting in fresh water by 32. Such buoyant apparatus shall not require to be inflated before use, shall be of approved construction, and marked in such a way as plainly to indicate the number of persons for whom it is sufficient.

10. *Life-Belts.*—An improved life-belt shall mean a belt which does not require to be inflated before use, and which is capable at least of floating in the water for twenty-four hours with 10 lbs. of iron suspended from it.

11. *Life-Buoys.*—An approved life-buoy shall mean either—

(*a.*) A life-buoy built of solid cork and fitted with life-lines and loops securely seized to the life-buoy, and capable of floating in the water for at least twenty-four hours with 32 lbs. of iron suspended from it; or

(*b.*) A strong life-buoy of any other approved pattern and material, provided that it is capable of floating in the water for at least twenty-four hours with 32 lbs. of iron suspended from it, and provided also that it is not stuffed with rushes, cork shavings, or other shavings, or loose granulated cork, or other loose material, and does not require inflation before use.

12. *Position of Life-Belts and Life-Buoys.*—All life-buoys and life-belts shall be so placed as to to be readily accessible to the persons on board, and so that their position may be known to those for whom they are intended.

Appendix (D).

Report of Committee on Life-Saving Systems and Devices.

Cabinet du Ministre.

2e Bureau: Mouvements de la Flotte et Opérations Militaires.

Au Sujet du Filage de l'Huile.

Le Ministre de la Marine et des Colonies à MM. les Vice-Amiraux Commandant-en-chef, Préfets Maritimes, Officiers Généraux, Supérieurs et autres, Commandant à la Mer.

Messieurs, *Ministère de la Marine et des Colonies, Paris, le 6 Août*, 1887.

L'ATTENTION du Département a été appelé à diverses reprises sur la question de l'emploi de l'huile pour diminuer les effets d'une mer agitée.

Le Vice-Amiral Cloué a notamment résumé ses recherches et ses observations dans un intéressant Mémoire inséré dans les "Annales Hydrographiques" et dans "La Revue Maritime et Coloniale" en 1887, et auquel je vous prie de vous reporter.

La diffusion de l'huile sur une grosse mer paraît exercer parfois des effets surprenants, et je suis frappé, comme le Vice-Amiral Cloué, des résultats qui auraient été obtenus dans certaines circonstances. Je désire, en conséquence, faire procéder à l'étude de ce phénomène, et, afin de m'appuyer sur des données précises et revêtues d'un caractère officiel, je vous prie de faire exécuter, à bord des

bâtiments sous vos ordres des essais sur le filage de l'huile dans les diverses circonstances de la navigation.

Vous voudrez bien m'adresser ultérieurement un compte rendu détaillé de ces expériences en me faisant part de vos appréciations sur l'application qui pourrait être faite dans la pratique du principe dont il s'agit pour la préservation des navires ou des embarcations.

Je ne crois devoir vous donner aucune instruction de détail ; vous trouverez, dans le Mémoire du Vice-Amiral Cloué, les indications nécessaires pour vous guider.

Recevez, &c.
(Signé) BARBEY.

CABINET DU MINISTRE.

2e Bureau : Mouvements de la Flotte et Opérations Militaires.

AU SUJET DU FILAGE DE L'HUILE.

Le Ministre de la Marine et des Colonies à MM. les Vice-Amiraux Commandant-en-chef, Préfets Maritimes, Officiers Généraux, Supérieurs et autres, Commandant à la Mer.

Messieurs, *Paris, le 13 Octobre,* 1888.

Comme suite à la Circulaire du 6 Août, 1887, j'ai l'honneur de vous adresser ci-jointe une note sur le filage de l'huile rédigée d'après les indications du Vice-Amiral Cloué, et qui paraît un complément utile de l'ouvrage sur la matière déjà délivré à tous les bâtiments de l'État aux termes de la Circulaire du 14 Juin, 1888.

Plusieurs des opérations qui y sont décrites n'ont pas encore reçu, tout au moins dans une mesure suffisante, la sanction de l'expérience, et sont simplement signalées sur la proposition de cet officier général, à l'attention des navigateurs.

Il importe, en vue de l'étude complète de cette intéressante question, de continuer activement les essais et de rechercher tous les perfectionnements réalisables.

Je désire, en conséquence, que les Commandants continuent à employer ce procédé, lorsque les circonstances de leur navigation s'y prêteront, en tenant compte des recommandations de la note ci-jointe.

Ils devront noter avec soin toutes les applications qu'ils auront pu faire, en indiquant les moyens mis en usage, la durée de l'immersion des sacs, l'espèce et la quantité d'huile employée, la route du navire, la direction et la force du vent, et celles de la mer, &c.

Tous ces renseignements, ainsi que les résultats obtenus, devront être résumés dans un Rapport qui me sera transmis sous le présent timbre, à la date du 1er Janvier et du 1er Juillet de chaque année, ou au désarmement du bâtiment.

Recevez, &c.
(Signé) KRANTZ.

NOTE SUR LE FILAGE DE L'HUILE.

Une étude attentive des résultats obtenus dans les nombreuses expériences qui ont eu lieu sur le filage de l'huile pour calmer les brisants a permis d'établir les meilleures conditions dans lesquelles ce mode de protection peut être utilement employé.

La note ci-après, qui indique l'état actuel de la question, est divisée en trois parties, savoir :—

1. Mode d'emploi de l'huile.
2. Huiles à employer.
3. Circonstances dans lesquelles l'usage de l'huile est recommandé.

1. *Mode d'Emploi de l'Huile.*

On a reconnu qu'une très petite quantité d'huile permet de couvrir une grande étendue d'eau d'une pellicule grasse suffisante pour empêcher les brisants de se former. Il a même été constaté que l'huile employée ainsi par petites quantités produit l'effet le meilleur et le plus prompt, les gouttes d'huile s'étendant sur l'eau avec une rapidité prodigieuse. Il est donc nécessaire d'égoutter l'huile, et le moyen qui a été reconnu jusqu'ici comme le plus simple et devant être préféré est l'emploi de sacs de forme allongée faits avec de la toile à voile. On prend, par exemple, un de ces sacs que l'on remplit d'étoupe saturée d'huile, on complète en versant de l'huile par-dessus l'étoupe, on forme avec soin le sac, qui doit être solidairement ralingué, et on le met à la traîne à l'aide d'un cartahu frappé sur une cosse tenant, du côté de l'ouverture ralingué du sac. Le fond et la partie postérieure du sac sont percé de trous faits à l'aide d'une grosse aiguille à voile.

Pour que les sacs puissent rester trois ou quatre heures à la mer avant qu'il soit nécessaire de les remplacer, il faut que leur capacité soit d'une dizaine de litres, en tenant compte du volume occupé par l'étoupe. Il n'y donc pas dans chaque sac beaucoup plus de 5 à 6 litres d'huile.

A l'ancre ou à la cape, la forme des sacs importe peu ; des navires et des embarcations ont employé un simple bas avec un plein succès. Mais il n'en saurait être de même lorsque le bâtiment a de la vitesse ; la forme allongée est alors la meilleure, comme, par exemple, celle d'une gargousse de canon ou même celle d'un très gros saucisson.

Les cuvettes des poulaines ont été utilisées avec profit, concurremment avec les sacs à huile et

même sans eux. On les remplit, comme les sacs, d'étoupe saturée d'huile sur laquelle on verse ensuite quelques litres d'huile. On a obtenu un très bon résultat en laissant pendre sous les poulaines des lanières d'étoupe, sortes de morceaux de faubert, à travers lesquelles l'huile suintait jusqu'à la mer.

2. *Huiles à Employer.*

Il y a lieu de signaler la supériorité reconnue des huiles de poisson, et en premier lieu de celles de baleine. Les huiles d'olive, de colza, de lin, de sésame, ne viennent qu'en seconde ligne.

Les huiles de coco, se figeant très vite, ne peuvent pas être employées avec succès dans les hautes latitudes.

Les huiles minérales sont inférieures aux autres comme trop légères ; elles ont cependant donné quelquefois de bons résultats.

En général, les huiles un peu épaisses et visqueuses, telles que celles provenant des résidus de machines à vapeur et de machines-outils dans les usines, produisent de très bons effets ; les essences de térébenthine, et même de vernis, ont été employés aussi avec un certain succès. Cependant, il ne faut pas que les matières grasses cessent d'être parfaitement liquides ; il serait mauvais de prendre celles qui se présenteraient sous la forme de cambouis ; de nombreuses expériences ont prouvé que le suintement se fait alors difficilement et que les gouttes d'huile trop épaisse sont bien plus longues que les autres à s'étendre sur l'eau ; l'effet produit est alors inutile, car le navire s'est déjà éloigné quand la zone de protection est établie.

3. *Circonstances dans lesquelles l'Usage de l'Huile est recommandé.*

Les diverses circonstances de mer dans lesquelles l'usage de l'huile peut être utile sont les suivantes :—

1.	A l'ancre...	Navire ou bateau mouillé.
		„ „ amarré bord à quai.
2.	A la mer...	Navire vent arriéré.
		„ „ de la hanche
		„ „ largue ou du travers.
		„ „ debout.
		„ à la cape ou en dérive sans voiles.
3.	... ...	Embarcation ou bateau de sauvetage à la mer en marche.
		Embarcation ou bateau capeyant sur une ancre flottante.
4.	... ...	Mettre à la mer une embarcation pour sauvetage et la rehisser à bord par gros temps.
5.	....	Franchir une barre.
6.	... ...	Remorquage.

1. *Navires à l'Ancre.*

Lorsqu'un navire se trouvera au mouillage dans un endroit non abrité, il pourra, dès que la mer commencera à se lever, fouetter une poulie double sur la chaîne, en dehors de l'écubier, passer dans chaque clan de la poulie un cartahu, puis filer 15 ou 20 mètres de chaîne et amarrar à l'un des cartahus une bouée portant un sac à huile.

Un hâle-à-bord frappé sur la bouée donnera le moyen de renouveler le sac lorsqu'on le jugera nécessaire, et le second cartahu permettra de faire rapidement cette opération. Si le navire est pourvu d'un beaupré et à plus forte raison d'un bout dehors de foc assez long, il sera probablement suffisant de suspendre le sac à son extrémité jusqu'à toucher l'eau.

Lorsqu'une embarcation affalee à la côte sera forcée de mouiller pour faire tête à la mer, elle pourra prendre la précaution de frapper sur son câblot, près du grappin, une poulie munie d'un va-et-vient, sur lequel sera fixé un sac à huile.

Si le navire (ou l'embarcation) était amarré à un quai exposé à être battu par la mer, on pourrait élonger dans le vent un grappin ou une ancre légère, portant la poulie avec le va-et-vient. On obtiendra le meilleur résultat en halant près de l'ancre ou du grappin une bouée portant un sac à huile. En effet, si le sac était fixé près de l'ancre, par une profondeur de quelques mètres, l'huile devrait, avant de s'étendre, employer un certain temps pour remonter à la surface, et ce temps serait perdu pour l'effet qu'on désire produire.

Afin d'être sûr d'avoir toujours en place un sac à huile fonctionnant bien, il est entendu que la poulie tenant à l'ancre doit être double et munie par conséquent de deux cartahus, de manière qu'on puisse envoyer un sac à huile auprès de la poulie au moment ou l'autre est hâlé à bord.

2. *Navires à la Mer.*

Navires Vent Arrière.—Lorsqu'un navire fuyant devant le temps risque de recevoir par l'arrière un dangereux coup de mer, il pourra pendre à l'avant, à chaque bossoir, un sac à huile touchant l'eau. L'avant du navire, en fendant la mer, la repousse de chaque côté, et l'huile étendue à la surface forme le long du bord une bande unie large de plusieurs mètres et une sorte de chemin huileux derrière le navire.

Si ces deux sacs étaient insuffisants, ce qui est peu probable, on devrait pendre deux autres sacs vers les grands porte-haubans, un de chaque bord.

Sur les bâtiments à hélice, on ne doit jamais prendre les sacs à la poupe, de peur qu'ils ne s'engagent dans le propulseur.

Navires Vent de la Hanche, Vent Largue, Vent de Travers.—Il faut, dans ce cas, établir un brise-lames huileux à quelques mètres, parallèlement au navire. Dans ce but, on établit au bossoir un espars ou arc-boutant faisant saillie de 6 ou 8 mètres en dehors ; on a eu soin de fouetter sur son extrémité une poulie double dans laquelle passent deux légers cartahus, remorquant chacun un sac à huile, ce qui permet d'en avoir toujours un dehors.

Si, avec une grosse mer du travers, l'espars ne suffisait pas pour écarter suffisamment la bande d'huile, on emploierait un flotteur divergent portant un sac à huile. Il y a lieu de supposer que ce moyen suffirait même avec une grosse mer venant un peu de l'avant du travers.

Avec certaines mers fortes, lorsque le navire a une très grande vitesse, la mise en place de l'arc-boutant peut être très difficile et, si l'on s'y prend un peu tard, elle peut même être dangereuse. Il y aurait sans doute avantage, dans ce cas, à utiliser la vergue de misaine brassée convenablement.

Autant que possible, il faut que les sacs soient disposés de manière à traîner sur l'eau sans sauter ; il faut aussi éviter qu'ils ne plongent trop, car l'huile ne s'étend et ne produit son effet qu'à la surface, et le temps qu'elle emploierait à y remonter serait du temps perdu.

Navires Vent Debout ou presque Vent Debout.—Plusieurs navires filant 10 ou 11 nœuds contre un gros temps ont réussi à se préserver des coups de mer en suspendant simplement des sacs à huile à l'avant ou en faisant égoutter de l'huile par les poulaines. Ce procédé, qui a réussi à un très petit nombre de capitaines, ne serait certainement pas suffisant pour tous les navires ; il pourrait être remplacé par le suivant : établir à l'avant une pompe puissante capable de lancer contre un coup de vent, à une quinzaine de mètres de distance, un jet d'eau *dense* vent contenant quelques gouttes d'huile. Au besoin, on s'aiderait d'un fort espars s'avançant en dehors et contre lequel s'appuierait le tuyau de la pompe. L'expression *dense* veut dire que le jet reste cylindrique depuis sa sortie du tuyau jusqu'à l'eau ; autrement le vent renverrait l'eau à bord.

La pompe lancerait, par exemple, 1,000 litres d'eau à la minute, et un petit méchanisme introduirait, avant que le jet ne sorte du tuyau, 3 ou 4 centilitres d'huile à la minute, ce qui ferait une consommation de 1 lit. 80 à 2 lit. 40 d'huile à l'heure. L'huile, en arrivant à la surface de la mer, prendra sans doute sa place immédiatement.

Navires à la Cape ou en Dérive sans Voiles.—Bien des navires ont obtenu un excellent résultat à la cape en suspendant un sac à huile au bossoir du vent. Cependant il serait peut-être utile, sur un grand navire, de suspendre à l'eau le long du bord plusieurs sacs à une quinzaine de mètres l'un de l'autre.

Lorsqu'un bâtiment à vapeur fait une avarie grave de machine, il tombe en travers et reste dans cette position, surtout s'il est très long ; c'est alors une épave exposée à tous les coups de mer.

Pour le préserver des paquets de mer qui pourraient embarquer, on peut pendre du côté du vent des sacs à huile distants entre eux d'environ 15 mètres en ayant soin de les renouveler de deux en deux toutes les trois ou quatre heures. Si le vent renvoyait les sacs à bord, même lestés, il suffirait de les pendre sous le vent ; la dérive ne tarderait pas à faire passer le champ d'huile au vent.

3. *Embarcation ou Bateau de Sauvetage à la Mer en Marche.*

Une embarcation, un bateau de sauvetage, par exemple, peut marcher entre certaines mauvaises mers avec succès en plaçant droit devant un espars portant un sac à huile. Mais cette manœuvre ne peut pas toujours réussir, et comme il n'est pas probable qu'on puisse installer sur un aussi petit bâtiment la pompe dont on a parlé plus haut, les embarcations légères devront renoncer à affronter de fortes mers debout.

Une embarcation, un bateau non ponté, fuyant vent arrière devant la lame, pourra suspendre son sac à huile à l'avant, à l'extrémité d'un espars et traînant légèrement à l'eau, ou bien près de l'arrière de manière à ne pas l'engager dans le gouvernail.

Une embarcation, un bateau de sauvetage peut marcher avec grosse mer du travers en employant un espars orienté à 45° de la direction de l'avant et traînant un sac à huile dont la remorque passe dans une poulie fixée à l'extrémité de cet espars.

Embarcation capeyant sur une Ancre Flottante.

Lorsqu'une embarcation isolée est surprise par un fort vent qui ne lui permet plus de porter de la voile, et est menacée par une grosse mer sur une eau trop profonde pour mouiller, elle peut avoir recours à une ancre flottante sur laquelle elle s'amarre et à l'abri de laquelle elle peut dériver. Cette ancre flottante est ordinairement faite avec une drome composée des mâts, vergues, et même des avirons. Il est souvent utile de laisser prendre à l'eau, sous cette drome, une des voiles de l'embarcation, et d'en retenir la partie inférieure à l'aide d'une écoute venant à bord. Un sac à huile peut être installé sur l'ancre flottante à l'aide d'une poulie dans laquelle passe un va-et-vient, de manière à pouvoir facilement changer le sac lorsque l'huile s'épuise.

4. *Mettre une Embarcation à la Mer et la rembarquer par Gros Temps.*

Voici à ce sujet la manœuvre recommandée. Cette opération ne devra se faire que protégée par un champ d'huile qui écarte tout brisant. L'embarcation devra, en outre, être munie de tout le gréement nécessaire au filage de l'huile.

Sur un Bâtiment à Vapeur.—Le navire étant stoppé ne tardera pas à venir en travers au vent ; il sera probablement plus avantageux d'amener l'embarcation du côté du vent, à cause de la dérive du navire qui laissera au vent le champ d'huile.

Sur un Bâtiment à Voiles.—Le navire en panne donne nécessairement une forte bande. On devra probablement amener le canot sous le vent. Il faudrait alors mettre les sacs à huile à l'eau de ce côté. Les mouvements du navire feront sans doute assez élargir le champ d'huile pour que l'embarcation soit mise à l'eau sur une mer sans brisants. On pourrait, du reste, avec un espars muni d'un sac, élargir la bande d'huile sous le vent de manière à avoir un espace uni suffisant pour l'embarcation.

5. *Franchir une Barre.*

La meilleure méthode à employer est d'avoir un sac à huile pendu à l'extrémité de l'espars poussé droit devant, et un autre sac à la remorque à l'arrière, de manière qu'il ne puisse se prendre dans le gouvernail ou dans l'hélice, s'il s'agit d'une embarcation à vapeur.

6. *Remorquage.*

Le filage de l'huile sera alors un puissant auxiliaire, car si le remorqueur ne parvient pas à se garantir complètement des coups de mer par l'avant, il sera en très bonne position pour filer l'huile de manière à en garantir entièrement le remorqué, ce qui allégera beaucoup le travail des remorques en leur évitant les secousses qui les compromettent et qui fatiguent, en outre, l'arrière du remorqueur et l'avant du remorqué.

Appendix (E).

Report of Committee on Life-Saving Systems and Devices.

Organization and Methods of the United States' Life-Saving Service.

Read to the Committee on Life-Saving Systems and Devices, International Marine Conference, November 22, 1889, by S. I. Kimball, General Superintendent of the Service.

THE sea and lake coasts of the United States, exclusive of the coats of Alaska, have an extent of more than 10,000 miles. There are to-day upon these coasts 226 life-saving stations, 165 of which are on the shores of the Atlantic, 8 on the shores of the Gulf of Mexico, 8 on the shores of the Pacific, and 45 on the shores of the Great Lakes. There is, besides, a station at the falls of the Ohio River, at Louisville, Kentucky. These stations are located at selected points of danger to shipping, and vary somewhat in character, according to their environment and the nature of the service demanded of them. On some portions of the coast they are placed only at long intervals, while upon others they form chains of contiguous posts within communicating distance of each other.

From the eastern extremity of the coast of Maine to Race Point on Cape Cod, a distance of 415 miles, there are but 16 stations, 10 of these being located at the most dangerous points on the coasts of Maine and New Hampshire, which, although abounding with rugged headlands, islets, rocks, reefs, and intricate channels that would naturally appear to be replete with dangers, are provided with numerous harbours and places of shelter in which, upon short notice, vessels can take refuge. The portion of the Massachusetts coast included, although less favoured with safe resorts, enjoys the excellent guardianship of the Massachusetts Humane Society—a venerable institution, operating under the volunteer system. On account of this protection, the General Government has deemed it proper to place its stations within this territory only at points where wrecks are unusually frequent: at least until other dangerous parts of the coast shall have been provided for.

Cape Cod, a narrow strip of sand, stretches directly out into the ocean some 40 miles, then abruptly turns to the north for an equal distance, and, like a threatening arm, fiercely menaces the commerce of the principal port of New England. Its eastern borders of shifting sand-bars fringe an unbroken line of sandy beaches which have become the burial-ground of unnumbered craft. Here 10 stations are located, nearly equi-distant, and designed to co-operate with each other.

From Monomoy—the elbow of the Cape—to Montauk Point, a distance of 110 miles, the coast is again somewhat similar to that of Maine, and is provided with but 9 stations.

The ocean shores of Long Island and New Jersey, one about 120, and the other 130, miles in length, form nearly a right-angle, one side of which faces south-easterly and the other easterly, the vertex being at the entrance to the harbour of the great commercial metropolis of the nation. The southern portion of the New Jersey coast also borders the entrance to Delaware Bay, which is traversed by the shipping of Philadelphia and Wilmington. The coast-line throughout nearly its whole extent consists of a narrow strip of sand-beach, varying in width from a quarter of a mile to 5 miles, and separated from the mainland by narrow thoroughfares that sometimes expand into considerable bays. This strip is unbroken except by shallow inlets connecting the ocean with the inland waters, and by the entrance to New York Harbour, as before stated. At a distance of from 100 to 400 yards from the shore, it is bordered by outlying sand-bars, over which in violent storms immense walls of surf continually form and break. Its shores, exposed to all easterly storms, are constantly skirted by vessels bound into and out of the ports of New York, Philadelphia, and Wilmington, and by craft of the coasting trade. Their sands have always levied a fearful tribute upon the passing commerce, and are literally strewn with the

half-buried and decaying skeletons of wrecked vessels, while the graveyards of the coast villages and Settlements abound with unmarked mounds that tell a sorrowful tale of the destruction of human life. Here, therefore, the number of stations is increased, 39 being placed upon the coast of Long Island and 40 upon the New Jersey coast.

A similar formation marks the coast from Cape Henlopen to Cape Charles, and from Cape Henry to Cape Fear. On the first of these sections, a distance of 116 miles, 16 stations are located, while from Cape Henry to Cape Hatteras, a stretch of 121 miles, there are 23 stations. These guard a portion of the ocean commerce of Philadelphia, all that of Baltimore and Norfolk, and the coastwise shipping.

Between Cape Hatteras and Cape Fear—175 miles—6 stations are placed for the protection of the commerce of Beaufort and Wilmington, North Carolina, and for the benefit of coasting vessels liable to disaster upon these stormy capes.

From Cape Fear as far south as the Peninsula of Florida there are no stations, with the exception of one on Morris Island, at the entrance to Charleston Harbour, their protection not being needed, for the reason that the westerly trend of the coast from Cape Hatteras to Florida takes it distant from the track of vessels not bound to or from the local ports. The climate is also much milder than in the higher latitudes, being almost perennial summer; consequently shipwrecks are less frequent.

On the coast of Florida when vessels strand they usually come well up to the shore, so that sailors find little difficulty in reaching the land. Until of late, however, these shores were almost uninhabited, and mariners cast upon them were exposed to the terrors of starvation and thirst. On this account there are provided for their relief 10 stations of an exceptional type, denominated houses of refuge. There is, however, a completely equipped station at Jupiter Inlet, a somewhat dangerous point.

Along most of that portion of the coast of the Gulf of Mexico lying within the United States, the water is shoal for a great distance from shore, the soundings regular, and the coast-line generally low, marshy, or sandy. The dangerous gales are the "northers," so well known to seamen who frequent the Gulf, and these force vessels off and not on shore, except where a portion of the coast of Texas runs nearly north and south. This portion is exposed to the effects of these storms, especially if the wind is a little quartering from the east, and here are appropriately established 4 stations. There is also a station at the entrance to Galveston Harbour, where many vessels have been wrecked upon the bar, and at unusually exposed points 2 others.

The Pacific coast is not a dangerous one. From the southern boundary of the United States as far north as San Francisco the climate is remarkably bland, and shipwrecks are of rare occurrence. The remainder of the coast-line extending northward to the Straits of Fuca is very regular, bold, and unbroken, and contains but few harbours. The prevailing winds are mostly from a common quarter, blowing not towards the shore, but southward, along its line, with almost the regularity of monsoons. The weather, therefore, is easily forecast, and navigation cannot in general be regarded as hazardous. There are, however, a few extremely dangerous points, mostly situated at the entrances to the important ports. These are guarded by 8 stations.

The cluster of inland seas known as the Great Lakes contains an area of about 80,000 square miles, and has a coast-line within the limits of the United States of nearly 2,500 miles. These seas are open to navigation about eight months in the year; at other times being closed by ice, although one or two steamers cut their way across Lake Michigan at intervals throughout the winter. There are few natural harbours, but a large number of artificial ones. These are formed at the mouths of rivers by extending piers from their banks out into the lake for a considerable distance and dredging the bottom between. The lakes are generally tranquil, but at certain seasons are visited by violent gales, which throw their fresh waters into furious convulsion with a suddenness unknown upon the ocean. Vessels unable to hold their own against the severity of these storms, being land-locked and with scant sea-room, are likely to be left with only the choice between stranding wherever they may be driven and seeking refuge in the harbour that seems most accessible. The latter course is naturally the one taken. To effect an entrance within the narrow space between the piers at such times, with sailing-vessels, and even with steamers, is frequently a task of extreme difficulty, and the luckless craft are liable to strand upon the bar on one or the other side of the piers, and meet their destruction. At some of these harbours many disasters occur in a single day.

The numerous severe gales attending the opening and closing of navigation in the early spring and late fall cause great numbers of wrecks from the enormous shipping of the lakes. As the strandings usually occur near the harbours, however, the number of stations required is not so large as it would be if they were distributed more generally along the shore. The number at present is, as I have stated, 45.

At Louisville, Kentucky, dangerous falls occur in the Ohio River, across which a dam has been constructed with two wide openings or chutes to facilitate the descent of vessels, the ascent being accomplished through a canal provided with locks. This dam is a source of danger to boats attempting to cross the river to the city of Jeffersonville, as they are liable to be sucked down by the chutes or swept over its verge. Larger vessels are also exposed to danger if they become disabled or unmanageable. For this reason it has been found advisable to moor here a floating station of a unique character.

The remaining few stations are located at various points which have seemed to need their protection. There are eight stations now in course of construction, and twenty others authorized to be hereafter built at various isolated points of danger. When these are completed, this form of protection will have about reached the practical limit of the present necessities of our commerce.

The stations upon the ocean beaches are generally situated among the low sand-hills common to such localities, sufficiently back of high-water mark to be safe from the reach of storm-tides. They are plain structures designed to serve as barracks for the crews, and to afford convenient storage for the boats and apparatus. Most of those upon the Long Island and New Jersey coasts have been enlarged from the boat-houses put up to shelter the boats and equipments provided for the use of volunteers before regular crews were employed. Those built later are more comely in appearance, while a few

located conspicuously at popular seaside resorts, make some pretensions to architectural taste. They are all designated by names indicating their localities.

In the majority of stations the first floor is divided into four rooms: a boat-room, a mess-room (also serving for a sitting-room for the men), a keeper's room, and a store-room. Wide, doubled-leafed doors and a sloping platform, extending from the sills to the ground, permit the running out of the heavier equipments from the building. The second story contains two rooms: one is the sleeping-room of the men, the other has spare cots for rescued people, and is also used for storage. The more commodious stations have two additional rooms—a spare room and a kitchen. In localities where good water cannot be otherwise obtained, cisterns are provided for water caught from the roof. There surmounts every station a look-out or observatory, in which a day-watch is kept. The roofs upon the stations on those portions of the coast exposed to view from the sea are usually painted dark red, which makes them distinguishable a long distance off shore. They are also marked by a flag-staff 60 feet high, used in signalling passing vessels by the International Code.

The stations (other than the houses of refuge) are generally equipped with two surf-boats (supplied with oars, life-boat compass, and other outfits), a boat-carriage, two sets of breeches-buoy apparatus—including a Lyle gun and accessories—a cart for the transportation of the apparatus, a life-car, twenty cork-jackets, two heaving-sticks, a dozen Coston signals, a dozen signal-rockets, a set of the signal-flags of the International Code, a medicince-chest with contents, a barometer, a thermometer, patrol lanterns, patrol checks or patrol clocks, the requisite furniture for rude housekeeping by the crew and for the succour of rescued people, fuel and oil, tools for the repair of the boats and apparatus and for minor repairs to the buildings, and the necessary books and stationery. At some of the stations the Hunt gun and projectiles are supplied, and at a few the Cunningham rocket apparatus. To facilitate the transportation of boats and apparatus to scenes of shipwreck, a pair of horses is also provided at stations where they cannot be hired, and to those stations where the supplies, mails, &c., have to be brought by water a supply-boat is furnished.

All the stations on the ocean coast of Long Island, 29 stations on the coast of New Jersey, 9 stations on the coast between Cape Henlopen and Cape Charles, and all the stations between Cape Henry and Hatteras Inlet are connected by telephone lines.

The few lake stations located upon the sand-beaches are similar in all respects to those upon the sea-coast, but those situated at the harbours differ from them, in that room is provided for a heavy life-boat and for a small boat for quick work in the immediate vicinity of the station. The buildings are usually located not far from the water's edge, behind one of the piers of crib-work forming the sides of the harbour entrance. An inclined platform, upon which are laid two tramways for the launching of the boats, extends from the boat-room down to the water through an opening cut in the pier. Cradles or cars are provided on which the boats are kept mounted, and by which they can be put afloat with the men at their oars in half a minute. Exit for the surf-boat waggon and apparatus-cart is also provided in the rear of the building, in case it should be necessary to transport them along the shore. These stations usually have telephone connection with the systems of the adjacent towns.

The houses of refuge on the Florida coast are simple dwellings, not unlike those common at the south, with capacity sufficient for the residence of a family, and for the temporary shelter of as many as are likely to need it. The distance between them averages 26 miles, and at each mile along the coast are placed guide-posts indicating the distance and direction to the nearest station. The houses are supplied with cots and provisions sufficient to succour twenty-five persons for ten days. No boats or apparatus are provided except a small galvanized iron boat for the use of the keeper.

The floating station at Louisville is a scow-shaped hull, on which is a house of two stories, surmounted by a look-out. Besides the housekeeping furniture there are but few equipments; two boats called life-skiffs, and two reels, each with capacity to hold a coil of 5-inch Manila rope, and so placed in the boat-room that a line can be speedily run out from either, or, if desired, that they can be rolled out of the boat-room, with the lines upon them, for use elsewhere. The station is usually moored above the dam at a place which will afford the readiest access to boats meeting with accident, but it can be towed from place to place when necessity requires, as was the case in the great floods of 1883–84, when it was of incalculable service in rescuing people from the upper stories and roofs of their inundated dwellings, and in distributing food to the famishing. On these two calamitous occasions the crew of this station rescued and took to places of safety over 800 imperilled persons, men, women, and children—among them many sick and infirm—and supplied food and other necessaries to more than 10,000.

The station buildings upon the coast are all constructed with a view to withstand the severest tempests. Those located—as many necessarily are—where they are liable to be undermined or swept from their positions by the ravages of storms and tidal waves, are so strongly put together that they may be overthrown and sustain but trifling injury. There are instances on record where they have been carried a long distance inland—in one case a half-a-mile—without sustaining material damage. This substantial construction also enables them to be easily and cheaply moved when threatened by the gradual encroachment of the sea, which, upon many sections of the coast, effects in the course of years great changes in the configuration of the coast-line.

Since the establishment is closely related to commerce and the collection of the revenue, it is attached to the Treasury Department, which discharges all executive functions of that character. It has, indeed, from its earliest inception, been formed and fostered by that Department. The present system was established in 1871 upon the New Jersey and Long Island coasts by a Code of Regulations under the authority of somewhat scattered and fragmentary legislation. Acts of Congress passed since that time have extended it to embrace the entire ocean and lake coasts, which are divided into twelve districts limited in general by prominent natural or political boundaries.

The chief officer of the Service is the General Superintendent, whose appointment is made by the President, and confirmed by the Senate. No one is eligible to the position who is not familiar with the means employed in the Service for the saving of life and property from shipwreck. The law places no

limit upon the tenure of this officer, which is therefore subject to the pleasure of the President. He has general charge of the Service and of all administrative matters connected with it. His compensation is 4,000 dollars per annum. An Assistant General Superintendent, appointed by the Secretary of the Treasury, assists him, and in his absence performs his duties. His compensation is 2,500 dollars per annum.

The office of the General Superintendent is in Washington, where, to assist in the transaction of business, are employed a corps of clerks, a civil engineer, a topographer and hydrographer, and a draughtsman. To assist the General Superintendent in investigating devices and inventions for the improvement of life-saving apparatus, there has been formed a Board on Life-Saving Appliances, composed of experts selected from the Life-Saving Service and others. It is their duty to examine and report upon such devices as may be submitted to them.

The next official in rank to the General Superintendent is the Inspector, an officer detailed from the Revenue-cutter Service upon the request and recommendation of the General Superintendent. His head-quarters are in New York city. Besides making periodical inspections of the stations, he performs such other duties in connection with the conduct of the Service as the General Superintendent may direct. Nearly all the self-bailing and self-righting life-boats are built in New York, and most of the apparatus is manufactured there. He is, therefore, required to inspect and superintend the work upon these. Under the system pursued by the Government for making purchases of goods for its use, a large proportion of the outfits and supplies for the stations are obtained in that city, and these he is also required to inspect. An Assistant Inspector is detailed to the office of the Inspector, and in his absence acts for him. Such other assistance as is found necessary is also allowed.

An Assistant Inspector is also detailed from the Revenue-cutter Service for each district. He is authorized to perform within his district any of the duties of the Inspector under the latter's direction. He visits each station monthly during the "active season," and upon each visit, in addition to the ordinary routine of inspection, he examines and practises the crews in their duties. On his first tour after the opening of the stations in each year he examines the keepers and men as to the required qualifications, reporting for dismissal any found wanting. Upon each succeeding visit he makes a similar examination of all persons who have entered the Service during his previous visit. He makes special visits to any of the stations when necessary. Whenever a shipwreck attended with loss of life occurs within the domain of the Service, an Assistant Inspector is detailed to carefully investigate all the circumstances connected with the disaster, with a view of ascertaining its cause, and whether the officers or employés of the Service have been guilty of neglect or misconduct. The results of these investigations are published in the annual Reports. The Inspector and Assistant Inspectors receive no other compensation than that pertaining to their rank in their own corps.

Each district is under the immediate charge of a Superintendent, and for the coast of Rhode Island—a portion of the Third District, widely separated by water from the other portion and from the adjacent district, but not large enough to form a district by itself—there is an Assistant Superintendent. These officers must be men of good character and correct habits, not less than 25 nor more than 55 years of age when appointed, able to read and write English readily, and have sufficient knowledge of accounts to properly transact the district business. They must be residents of the respective districts for which they are chosen, familiar with the line of coast embraced within them, and conversant with the management of life-boats and other life-saving appliances. They are rigidly examined as to these qualifications by the General Superintendent and the Inspector. They are disbursing officers and paymasters for their respective districts, and are required to enter into bonds varying in amount from 10,000 to 50,000 dollars, according to the fiscal responsibility placed upon them. They are also *ex officio* Inspectors of Customs. They conduct the general business of their districts, look after the needs of the stations, make requisition on the General Superintendent for station supplies, repairs, &c., and upon receipt of authority see that these are furnished. They visit the stations at least once a quarter to acquaint themselves with their condition. On these occasions they pay off the crews and make such other disbursements as are authorized. As Inspectors of Customs they look after the interests of the Government in reference to dutiable property wrecked within their jurisdiction, and see that the keepers of stations perform their duties in respect thereto. Their compensation ranges from 1,000 to 1,800 dollars per annum, and is designed to be proportionate to the extent of their duties and to the degree of fiscal responsibility incumbent upon them severally.

Each station has a keeper who has direct control of all its affairs. The position held by this officer will be recognized at once as one of the most important in the Service. He is therefore selected with the greatest care. The indispensable qualifications for appointment are that he shall be of good character and habits, not less than 21 nor more than 45 years of age, have sufficient education to be able to transact the station business, be able-bodied, physically sound, and a master of boat-craft and surfing. He is usually nominated by the District Superintendent, the initial step being left to that officer because of the extensive acquaintance he is supposed to have with the class of men from which the choice must be made, by reason of long residence among them, and because of the degree of responsibility resting upon him for the condition and conduct of his district. So much depends, however, upon the selection, that an effort is made to eliminate, as far as possible, the chance that any political, social, or personal interests shall intentionally or unintentionally enter into it. In the vicinity of nearly all the stations there are numbers of fishermen and wreckers who have followed their callings from boyhood and become expert in the handling of boats in broken water, and among these there is usually some one who by common consent is recognized as a leader *par excellence*. He is the man it is desirable to obtain for keeper, unless there be some fault of character which should exclude him. The nomination is accompanied by a statement of the reasons that guided the District Superintendent in his choice and a certificate of the candidate's physical soundness, made by a surgeon of the Marine Hospital Service after careful examination. Before granting his approval the General Superintendent submits the nomination to the District Inspector for his views, and if after thorough inquiry he concurs, the General Superintendent approves and the appointment is made. If he does not concur, and his

tated reasons seem to justify his conclusion, the General Superintendent takes such action as he deems best, either calling upon the District Superintendent to submit another nomination, or visiting the locality himself and seeking out the proper person. It is gratifying to be able to state, and it is an evidence of the singleness of purpose and strict appreciation of duty which actuate both the district officers, that difference of opinion in reference to a nomination has rarely arisen between them.

It is not found difficult to fill vacancies that occur among the keepers at old stations, or along that portion of the coast where the stations are contiguous. Either from the crew where the vacancy exists, or from a neighbouring one, there is selected the most competent surfman, the merits of all having been ascertained by inspection and drill and recorded in the Central Office. Rarely it is considered for the best advantage and welfare of the Service to take some person from without; in which case the district officers are required to set forth specifically all the facts upon which this conclusion is based. The original selection of keepers for new stations remote from others is less easily determined.

The keepers are required to reside constantly at their stations, are intrusted with the care and custody of the station property, for which they are accountable, and govern the station premises. They are captains of their crews, exercise absolute control over them (subject only to the restriction of the Regulations of the Service and the orders of superior officers), lead them and share their perils on all occasions of rescue, taking always the steering oar when the boats are used, and directing all operations with the apparatus. They are also *ex officio* Inspectors of Customs, and as such take care of the Government interests in relation to dutiable goods on wrecked vessels, until the arrival of other Customs officers. By law they are also made guardians of all wrecked property until relieved by the owners or their agents, or until instructed by superior authority as to its disposition.

No crews are employed at houses of refuge, but the keepers and their families travel after storms as far as practicable along the shore in both directions from the stations, searching for persons possibly cast ashore.

A daily journal or log is required to be kept at every station, weekly transcripts of which the keeper sends through the District Superintendent to the General Superintendent, who is thus kept advised of all that transpires. Immediately after the occurrence of a wreck the keeper furnishes a complete Report of every detail of interest concerning the disaster, and from time to time various other Reports are required of him. Any false statement made in the books or Reports subjects him to instant dismissal.

The Secretary of the Treasury is authorized to grant the keepers a compensation not to exceed 800 dollars per annum. The maximum amount is paid only to one or two whose stations are so isolated that they are obliged to secure an associate to reside with them when the crews are off duty, and to such keepers as have remarkably distinguished themselves by bravery and effective service. The usual salary paid is 700 dollars per annum; to keepers of houses of refuge, only 400 dollars.

The law provides that the stations on the Atlantic and Gulf coasts shall be opened and manned for active service from the 1st day of September in each year until the 1st day of the succeeding May, and those on the lake coasts from the opening to the close of navigation—usually from about the 15th April to about the 15th December. On the Pacific coast the period is left discretionary with the General Superintendent. The time during which the stations are manned is designated the "active season." Four of the stations on the Pacific coast are kept open the year round, experience having shown that disasters in their neighbourhood occur more frequently from local causes than from stress of weather, and are about as liable to happen at one season as at another. For similar reasons a crew is kept continuously at the Louisville station.

The number of men composing the crew of a station is determined by the number of oars required to pull the largest boat belonging to it. There are some five-oared boats in the Atlantic stations, but at all of them there is at least one of six oars. Six men, therefore, make up the regular crews of these stations, but a seventh man is added on the 1st December, so that during the most rigorous portion of the season a man may be left ashore to assist in the launching and beaching of the boat, and to see that the station is properly prepared for the comfortable reception of his comrades and the rescued people they bring with them on their return from a wreck; also to aid in doing the extra work that severe weather necessitates. Where the self-righting and self-bailing boat which pulls eight oars is used, mostly at the lake stations, a corresponding number of men is employed.

The crews are selected by the keepers from able-bodied and experienced surfmen residing in the vicinity of the respective stations. This privilege is granted the keepers in view of the obvious necessity for mutual confidence between a leader and his followers in hazardous enterprises involving their own lives and the lives of others, and in view of the strict responsibility to which each keeper is held for the good repute of his station and the conduct of its affairs.

In the absence of strong counteracting inducements these considerations would naturally lead to the choice of the very best men to be had. It was early found, however, that political, social, and family influences were often strong enough to so control the selection as to materially affect the efficiency of a crew. To oppose them certain Regulations were established, the most important of which provided that the selection of keepers and crews should be made solely with reference to their fitness and without regard to their party affiliations. This, after being enforced for several years, received in 1882 the sanction of Congress, being at the same time extended to the appointment of District Superintendents and Inspectors. This enactment greatly aids successful resistance to the most insidious and potent evil that has ever threatened the welfare of the Service. Another important Regulation forbids a keeper to take into his crew his brother, father, or son, except where adherence to the rule would be detrimental to the Service. This was found necessary to countervail the quite natural inclination of keepers to provide situations for their near kinsmen, even to the serious detriment of the strength and *morale* of the station force.

Protected by these and a few less noteworthy safeguards, the method adopted for manning the stations has filled them with the very pick and flower of the hardy race of beachmen who inhabit our shores. No better evidence of the virtue of the plan can be desired than the fact that during the

eighteen years it has governed the selection of the men, not one has shown the white feather, while the pages of the annual Reports of the Service are crowded with the records of gallant deeds that have made them famous throughout the land.

Upon original entry into the Service a surfman must be not over 45 years of age, and sound in body, being subjected to a rigid physical examination by a surgeon of the Marine Hospital Service. He is afterwards examined as to expertness in the management of boats and matters of that character by the Inspector of the district. The Regulations setting forth his duties being read to him, he is enlisted by signing articles by which he agrees to reside at the station continuously during the "active season," to perform such duties as may be required of him by the Regulations and by his superior officers, and also to hold himself in readiness for service during the inactive season, if called upon. Desertion entails a forfeiture of his wages, to be exacted in the discretion of the General Superintendent. His compensation is 50 dollars per month during the "active season," and 3 dollars for each occasion of service at other times. Beyond the wages mentioned the surfmen receive no allowances or emoluments of any kind, except the quarters and fuel provided at the stations. Their food and clothing they themselves supply.

No person belonging to the Service is permitted to hold an interest in any wrecking apparatus, or to be connected with any wrecking company; nor is he entitled to salvage upon any property he may save or assist to save.

A surfman cannot be discharged from the Service without good and sufficient reason. For well-proven neglect of patrol duty, or for disobedience or insubordination at a wreck, the keeper may instantly dismiss him; in all other cases special authority must be first obtained from the General Superintendent.

In case a keeper or surfman becomes disabled by injury received or disease contracted in the line of duty, he is entitled to receive his full pay during the continuance of the disability, if it does not exceed one year, and upon the recommendation of the General Superintendent the Secretary of the Treasury may extend the time for a second year, or a part thereof, but no longer in any case. If any keeper or surfman loses his life by reason of injury or disease incurred in the line of his duty, his widow or children under 16 years of age may receive for two years the pay that the deceased would have if alive and in the Service. If the widow remarries or a child arrives at the age of 16, the amount that would have been paid to the one or the other goes to the remaining beneficiaries, if any. It will be seen at once that this beneficence affords certain advantages to the widow which the ordinary pension does not furnish, inasmuch as the death of her husband does not add to her grief the misfortune of financial embarrassment, by cutting off or diminishing the family income at a time when the funeral expenses make an unusual demand upon it.

At the opening of the "active season" the men assemble at their respective stations and establish themselves for a residence of eight months. They arrange for their housekeeping, usually by forming a mess, taking turns by weeks in catering and cooking, although at some of the stations they engage board of the keeper at a rate approved by the General Superintendent. These preliminaries being settled, the keeper organizes his crew by arranging and numbering them in their supposed order of merit, the most competent and trustworthy being designated as No. 1, the next No. 2, and so on. These numbers are changed by promotion as vacancies occur, or by such rearrangement from to time as proficiency in drill and performance of duty may dictate. Whenever the keeper is absent, No. 1 assumes command and exercises his functions.

The rank of his men being fixed, the keeper assigns to each his quarters and prepares station bills for the day watch, night patrol, boat and apparatus drill, care of the premises, &c. For the purpose of watch and patrol, the district officers establish patrol limits as far as practicable along the coast in both directions from the stations, marking them by distinct monuments, and a description of the beats thus laid out is sent to the office of the General Superintendent. The day watch is kept from sunrise to sunset by a surfman daily assigned to this duty, who is usually stationed in the look-out, and who, if the patrol limits cannot be seen from there, goes at least three times a-day far enough along the shore to bring them into view. During thick and stormy weather a complete patrol like that at night is maintained. At the harbour stations on the lakes, at the river station at Louisville, and at other places where accidents are frequent, there is connected with the look-out a gong, by means of which the crew is alarmed when occasion requires. The day watch keeps a record of all passing vessels.

For the night patrol the night is divided into four watches—one from sunset to 8 o'clock, one from 8 to 12, one from 12 to 4, and one from 4 to sunrise. Two surfmen are designated for each watch. When the hour for their patrol arrives they set out in opposite directions along the coast, keeping as near as practicable to the shore, as far as the ends of their respective beats. If within communicating distance from an adjacent station, each patrolman proceeds until he meets another from the next station and gives him a metallic check marked with his station and crew number, receiving in exchange a similar one. The checks thus collected are examined by the keeper, recorded in the journal, and returned to their proper stations the next night. If a patrolman fails to meet his fellow from the adjacent station, after waiting a reasonable time at the usual place of meeting, he continues his journey until he either meets him or reaches that station and ascertains the cause of the failure, which, on his return, he reports to his keeper, who makes a record of it in his journal.

At isolated stations each patrolman is required to carry a clock, within which is fixed a dial that can be marked only by means of a key which also registers the time of marking. This key is secured to a post at the end of his beat, and he is required to reach it and bring back the dial properly marked.

Each patrolman is equipped with a beach-lantern and several red Coston hand-lights. Upon the disovery of a wreck, a vessel in distress, or one running dangerously near the shore, he ignites by percussion his hand-light, which emits a brilliant red flame. This serves the double purpose of

warning the people on the vessel of their danger and of assuring them of succour if they are already in distress.

For every week-day a regular routine of duties is appointed. For Monday, it is drill and practice with the beach-apparatus and overhauling and examining the boats and all apparatus and gear; for Tuesday, practice with the boats; for Wednesday, practice with the International Code of Signals; for Thursday, practice with the beach-apparatus; for Friday, practice in the method adopted for restoring the apparently drowned; and for Saturday, cleaning house. Whenever anything prevents the regular performance of any of these duties, the fact must be entered upon the station journal, with a full explanation, and the omitted exercise performed at the first opportunity.

For practice with the beach-apparatus there is provided near each station a suitable drill-ground, prepared by erecting a spar, called a wreck-pole, to represent the mast of a stranded vessel 75 yards distant (over the water, if possible) from the place where the men operate, which represents the shore. At drill the crew is mustered in the boat-room, and each man, upon his number being called, salutes the commanding officer and recites, in proper sequence, every act he is to perform in the exercise as prescribed in the Service Manual. At the proper words of command they all fall into their allotted places at the drag-ropes of the apparatus-cart, and draw it to the drill-ground, where they perform the remainder of the exercise, which consists in effecting a mimic rescue by rigging the gear and taking a man ashore from the wreck-pole in the breeches-buoy. The officer conducting the drill carefully notes the time which elapses from the moment he gives the initial command "Action" until the rescued man sets foot upon the shore.

If in one month after the opening of the "active season" a crew cannot accomplish the rescue within five minutes, it is considered that they have been remiss in drilling, or that there are some stupid men among them. They are cautioned that if upon the next visit of the Inspector a marked improvement is not shown, some decisive action will be taken to secure it. This usually produces the desired effect. In many of the districts a spirited rivalry exists between the stations for excellence in this drill. It has been executed without error by several crews in two minutes and thirty seconds. I confess I was incredulous of the possibility of such a feat until I witnessed it myself; but even this is, perhaps, less surprising than the time attained at some of the night drills, when, without lights other than the moon and stars, the shot has been fired, the apparatus set up, and a man brought ashore from the wreck-pole in three minutes. Of course, nothing like such celerity can be expected in effecting rescues at actual shipwrecks, when storms, currents, surf, the motion of the vessel, the lack of skilful co-operation on the wreck, and many other unfavourable elements, conspire to obstruct progress, and the practice of timing the drill was instituted, not so much with the expectation of materially hastening the work of rescue, as with the design of giving the men the utmost familiarity with the stowage of the apparatus in the cart, with its uses, and with the method of handling it.

How well this purpose is fulfilled has been repeatedly illustrated on occasions of rescue, but never better than in the memorable storm of the 3rd February, 1880, which wrought general ruin and devastation upon the coast of New Jersey, and strewed her shores with wrecks. In the very height of that terrible tempest, at the dead of night, the crews of three separate stations rescued without mishap the people on four different vessels by means of the apparatus, set up and worked in almost utter darkness, the lanterns of the surfmen being so thickly coated with sleet that they emitted only glimmers of light so feeble that the lines and implements could not be seen. These and the other rescues achieved in that storm excited such public admiration that the State Legislature unanimously passed Resolutions commending the skill and bravery of the station crews.

Boat practice consists in launching and landing through the surf, and at least a half-hour's exercise in handling the oars under the keeper's directions.

Drill in signalling is conducted by interrogating each surfman as to the meaning of the various flags, the definitions of two-, three-, and four-flag hoists, the distinguishing flag or pennant of each hoist, the use of the Code Book, and by actual conversation carried on by means of two sets of miniature signals provided for each station. Frequent practice is also had between the stations and Revenue vessels.

The method adopted for restoring the apparently drowned is formulated into four Rules, which each member of the crew commits to memory. In drill he is required to repeat these and afterwards illustrate them by manipulations upon one of his comrades. The medicine-chest is also opened, and he is examined as to the use of its contents.

The proficiency of every keeper and surfman in the several branches of qualification in which he is thus trained, as ascertained in the drills conducted by the District Inspectors on their monthly visits, is marked by those officers in their drill-books upon a scale of ten; and transcripts of this rating are transmitted to the General Superintendent, who is thus kept constantly informed of the effectiveness of the corps.

The ultimate means employed by life-saving institutions to rescue people from stranded vessels are everywhere essentially the same. The tumultuous waters between the wreck and the shore are either crossed by a life-boat sent out to the imperilled people, or are spanned by strong lines, by which a breeches-buoy or other vehicle is passed back and forth. There are many kinds of life-boats, however, and various devices for effecting line-communication. The type of boat in most general use use in our Service, although properly entitled to be called a life-boat, is distinctively known as the surf-boat, and this term will be applied to it in the remarks which follow upon this topic. There are several varieties of this type, all developments of the boat found in use among the shore fishermen or surfmen of the Long Island and New Jersey coasts for crossing the surf on the outlying sand-bars in their daily blue-fishing when the first boat-houses or stations were placed there. Three varieties, respectively designated the Beebe, the Higgins and Gifford, and the Beebe-McLellan surf-boat, from the names of the persons who devised the modifications which characterize them, are the only ones furnished to the stations in recent years. They are all constructed of white cedar with white oak

frames, and their dimensions are from 25 to 27 feet in length, 6½ to 7 feet beam, 2 ft. 3. in. to 2 ft. 6 in. depth amidships, and 1 ft. 7½ in. to 2 ft. 1 in. sheer of gunwale. Their bottoms are flat, with little or no keel, and have a camber of 1½ or 2 inches in 8 feet each side of the midship section. They draw 6 or 7 inches of water, light, and weigh from 700 to 1,100 pounds. They are propelled with six oars, without sails, and are expected to carry, besides their crews, from ten to twelve persons, although as many as fifteen have been landed at a time in a bad sea. Their cost ranges from 210 to 275 dollars. There is no great difference between the Beebe and the Higgins and Gifford boat, except that the former has more sheer and is clinker-built, while the latter is of carvel construction. The Beebe-McLellan boat is the Beebe boat with the self-bailing quality incorporated. This feature has been added within the past two years, and but few of them have yet been put in service. All of these boats are so light as to be readily transported along the shore; they can be launched in very shallow water, and in the dexterous hands of our surfmen are manœuvred in the breakers with marvellous ease and celerity. This facility of handling is of great advantage when working in proximity to wrecks, enabling the boat to evade collision with floating wreckage and to quickly slip up alongside a stranded vessel at a favourable moment and receive its freight, while it is easily fended off from contact with the lurching hull.

These boats, of one variety or other, are supplied to nearly all the stations in the Service, and on the Atlantic seaboard they are relied upon almost exclusively. Indeed, the shores, of soft yielding sand, without roads, and the flat beaches, covered with but little depth of water for a considerable distance seaward, which almost uniformly mark the coast from Cape Cod to Cape Fear, preclude the use of boats of greater weight and draught. Even at those stations where the most approved self-righting and self-bailing boats are furnished, the surf-boats are generally preferred by the life-saving crews for short distances and when the number of imperilled people is not large. In executing the work required at minor casualties, such as aiding to float stranded craft by carrying out anchors, running lines to tugs, &c., they are especially handy, and by their use a vast amount of property has been saved.

As respects safety they will compare favourably with any other boats. During the eighteen years they have been in the hands of our crews they have been launched 6,730 times in actual service, and have landed 6,735 persons from wrecked vessels. In all this service they have capsized but 14 times. Six of these instances were attended with loss of life, the number of persons perishing being 41, of whom 27 belonged to the Service, and 14 were shipwrecked people.

Among other life-boats, the self-righting and self-bailing boats of the Royal National Life-Boat Institution of Great Britain, the honoured mother and mentor of all existing life-saving organizations, are unquestionably pre-eminent. They are the product of a century's devoted study and experiment with unstinted means, dating from the time the London coach-maker first conceived the idea of a life-boat. Their wonderful achievements have formed the theme of song and story, shed merited lustre upon the institution which fostered their development and stimulated the formation of kindred organizations, equipped with their models, throughout Christendom. I learn from the Annual Reports of the Institution that during the same period of eighteen years her boats have capsized 21 times, attended by loss of life, the number perishing aggregating 75, of whom 68 were life-boatmen and 7 shipwrecked people. The number of capsizes unattended with loss of life I could not ascertain, except by an exhaustive search through the detailed accounts of all the occasions of service, but I find by the official Report of the inquiry into the circumstances of the accidents to the Southport and St. Anne's life-boats in December 1886, made to the Board of Trade by Sir Digby Murray, Bart., and Captain the Hon. H. W. Chetwynd, of the Royal Navy, Chief Inspector of Life-Boats for the Institution, that during the previous thirty-two years the self-righting boats of the Institution had been launched in actual service 5,000 times, whereby 12,000 lives were saved, and that on these occasions 41 of the boats had capsized, 23 of the accidents being unattended with loss of life, while 18 were accompanied with fatal results. The number of persons lost was 88, 76 being life-boatmen, and 12 shipwrecked people. The Report further states that "the 76 life-boatmen lost represented about 1 in 850 of the men afloat in the life-boats on service, and the capsizes 1 out of each 120 launches on service." In the case of our capsized surf-boats, the 27 men lost represented 1 in 1,744 of the men afloat in the surf-boats on service, and the capsizes one out of each 480 launches on service. But as the saving of property is an incidental duty imposed upon our crews, the surf-boats, although they are not used in saving cargoes, are doubtless often lauched under conditions more favourable than generally fall to the lot of the boats of the Institution, and therefore the number of launches does not afford a satisfactory basis for comparison. Let us, therefore, take another basis. The number of lives saved by the life-boats is stated, as we have seen, at 12,000—in round numbers probably. Calling the number saved by the surf-boats 6,500 in round numbers, we find, then, 1 capsize of the surf-boat to every 464 persons saved, a difference in its favour of 172. The self-righting boat lost 1 life to every 136 saved, the surf-boat 1 to every 158 saved, a difference of 22 in its favour. Of the life-boatmen afloat, 1 to 850 were lost by the self-righting boat, 1 to 1,109 by the surf-boat, a difference of 259 in favour of the latter. In the life-boat 1 man of the crew is lost for every 157 lives saved, in the surf-boat 1 for every 240 saved, a difference in favour of the surf-boat of 83.

Since 1876 there have been put into the United States' Service 37 self-righting and self-bailing life-boats, of the model of a boat received from the Royal National Life-Boat Institution. They are all nearly reproductions of the boat sent to us. They are 29 ft. 3 in. in length, 7 ft. 7 in. beam, 3 ft. 1½ in. deep amidships, 1 ft. 10 in. sheer of gunwale, straight bottomed, pull eight oars, and weigh about 4,000 pounds each. This great weight is made necessary by the device of a heavy iron keel to aid in securing the self-righting quality. They have made on service 471 trips and saved 584 persons; they have capsized on service four times, once with fatal result, five lives, all shipwrecked people, being lost. These figures produce results similar to those already reached in reference to the life-boats in Great Britain. The boats have capsized once in each 118 trips, and once in rescuing every 146 persons, and one life has been lost from the boats to every 117 saved.

There are two other varieties of self-righting and self-bailing boats in the Service—the Richardson and the Dobbins. They are modifications of the life-boat just described, though considerably lighter. They have not been used often enough to furnish any practical basis of comparison, but have given good results so far.

Notwithstanding these figures, it would be unwise to hastily conclude that the surf-boat of either variety mentioned is the best life-boat for all conditions of service. Among the boats at present employed in life-saving institutions, I know of none that can justly be denominated the best life-boat. The type that is best for one locality may be ill-adapted or entirely unfitted for another, and a boat that would be serviceable at one time might be worse than useless at another in the same locality.

On the larger portion of the Atlantic sea-board boat-service at wrecks is not very distant from the shore, and the chief danger lurks in the line of surf which must be crossed, and in the breakers on outlying shoals. For this service the surf-boat is easily transported on its carriage through the loose and trackless sands of the strand to a point as near the wreck as possible, is quickly unloaded, and at a favourable time is launched in a minute. The keeper steers with a long steering oar, and with the aid of his trained surfmen, intent upon his every look and command, manœuvres his buoyant craft through the surf with masterly skill. He is usually able to avoid a direct encounter with the heaviest breakers, but if he is obliged to receive their onset meets them directly "head-on." His practised hand immediately perceives any excess of weight thrown against either bow, and instantly counteracts its force with his oar as instinctively and unerringly as the skilled musician presses the proper key of his instrument. He thus keeps his boat from broaching-to, and avoids a threatened capsize. The self-righting boat is more unwieldy, and not so quickly responsive to the coxswain's tactics, and is therefore not so well adapted to our general work.

The usual conditions of service in the United Kingdom are probably different. The excursions the life-boats make on service are said to be more extended, and exposure to violent gales for long periods upon the open sea more frequent. Our surf-boats, it is true, venture upon outlying shoals covered with breakers, such as the Nantucket Shoals, off Massachusetts, and the Diamond Shoals, off Cape Hatteras, but it is likely that there is no such locality within the scope of our Service so fatal as the terrible Goodwin Sands, which are often visited by the boats of the Royal National Life-Boat Institution, and where they have accomplished so much noble work. There are doubtless other important differences in the requirements of service with which I am not acquainted. Probably, therefore, the conditions are so diverse that no just conclusion as to the superiority of the two boats can be drawn from the results of their experience, and I have given these results in comparison not with a desire to establish such a conclusion, but to show that the United States' Service has provided quite as effective means for dealing with the conditions presented to it as the most eminent organization of other countries has for its conditions, and because I thought they might be of service in the deliberations of the Committee in considering some of the topics of the Division of the programme referred to it, and, further, because I thought they might aid in the efforts always being made by life-saving institutions and by individuals to improve the safety of life-saving boats. Where long excursions are to be undertaken, and the service is exceptionally hazardous, the men undoubtedly feel safer in a self-righting boat, and having this in view, it has been introduced into many of our stations, where it may be found side by side with the surf-boat, the choice being left to the keepers to take either, as the occasion seems in their experienced judgment to demand.

Self-righting and self-bailing are properties unquestionably desirable in any boat designed to be used in saving life, provided they can be obtained without too greatly impairing other necessary qualities. May it not be a question worthy of consideration whether these properties and the means of propulsion by sails cannot be advantageously incorporated into the surf-boat without materially increasing its weight and draught, and whether such a boat would not be found to be better adapted to perform the general services of life-boats than those which sit deeply in the water, and which, on that account, and because of their great weight, are less agile in action and more difficult to transport and launch? Already, as I have said, the self-bailing property has been successfully applied by Lieutenant McLellan, and is hailed with delight by our crews; the addition of sails has also been accomplished by the use of a centre-board, and I am able to add that I believe the self-righting quality is on the verge of successful application. One boat of this kind is already built, and with slight changes, which seem entirely practicable, I believe will satisfactorily solve the problem, at least so far as to answer all the purposes of our Service. When this result is attained, why may not self-bailing and self-righting boats supplant the inferior boats now carried upon passenger-vessels for life-boats? And why, since it has been found that the self-bailing principle can be applied to a model thoroughly convenient to be carried on shipboard, may not these vessels even now be supplied with self-bailing boats, in which the liability to capsize is greatly diminished by reason of their ability to immediately free themselves of any water they may ship?

For effecting line-communication with stranded vessels our Service chiefly employs the Lyle gun, named after Captain D. A. Lyle, of the Ordnance Department of the United States' Army, who devised it. It is to be found in every station except the houses of refuge. But the Hunt gun, devised by Mr. Edmund S. Hunt, of Massachusetts, and the Cunningham rocket, invented by Mr. Patrick Cunningham, of the same State, have been recently furnished to a few stations where the outlying bars are so far off shore that vessels may possibly strand beyond the range of the Lyle gun. This has been done not in the belief that the beach-apparatus can be effectually used at any distance beyond this range, but with the hope that a line, if thrown from the shore to a wreck, might be used to effect the passage of a boat or a life-car, or that some other means for rescue might be improvised. The Lyle gun is of bronze, with a smooth 2½-inch bore, weighs, with its carriage, 185 lbs., and carries a shot weighing 17 lbs. This projectile is a solid elongated cylinder 14½ inches in length, into the base of which is screwed an eye-bolt for receiving the shot-line, the bolt projecting sufficiently beyond the muzzle of the gun to protect the line from being burned off in firing. When the gun is fired the weight and

inertia of the line cause the projectile to reverse. The shot-lines used are of three sizes, designated by the numbers 4, 7, and 9, being respectively $\frac{4}{32}$, $\frac{7}{32}$, and $\frac{9}{32}$ of an inch in diameter. Any charge of powder can be used up to the maximum of 6 ounces. A range of 695 yards has been obtained with the No. 4 line under favourable circumstances. The range of the larger lines is, of course, proportionately diminished. The No. 4 is only used where the vessel is thought to lie beyond the range of the larger lines, for the reason that it is not strong enough to sustain the hauling of the whip-line on board —and an intermediate line has to be supplied, requiring the expenditure of time and strength—and because it is not so easily hauled upon by the shipwrecked sailors, as the larger one. The Hunt gun is also of bronze, of about the same size and weight as the Lyle, and not very different from it, except that it has a bore an inch larger, and is attached to its carriage-bed at the cascabel instead of resting on trunnions. Indeed, the peculiarity of the Hunt system is not in the gun, but in the projectile, which could be fired just as well from the Lyle gun if the latter were of sufficient calibre. This projectile consists of a cylindrical tube of tin, into one end of which is soldered a solid hemispherical piece of lead, which, when the projectile is placed in the gun, rests upon the cartridge, and upon discharge reverses its position like the Lyle shot and goes foremost. The shot-line being fastened into a staple in the centre of the inside surface of this piece of lead, is coiled in the tube until the cavity is nearly filled, being kept in place by a coating of paraffin, which is sufficiently adhesive for the purpose, but does not materially retard its paying out as the projectile flies. The tube has a capacity for 320 yards of No. 4 line. In the outer end is placed a diaphragm of pasteboard with a circular hole in its centre three-quarters of an inch in diameter through which a portion of the other end of the line hangs out. When the missile is placed in the gun, 4 or 5 inches protrudes beyond the muzzle. Upon this portion four trapeziform wings are soldered at regular intervals to control the flight. Before firing, the protruding end of the encased line is tied to another line coiled in a can, or otherwise so arranged as to permit it to be taken out without entanglement. When the discharge takes place the line in the can by its inertia and weight causes the line in the projectile to pay out, and, when the latter is exhausted, furnishes the supply for the remainder of the flight. The range obtained is about 40 yards greater than can be had with the Lyle projectile. The Massachusetts Humane Society uses this system altogether. The United States' Service prefers the Lyle system, because where extreme range is not required it conveys a larger and stronger line to the shipwrecked; because it does not require the use of an intermediate line for hauling on board the whip-line (Mr. Hunt claims that the line he uses is strong enough, but I should not dare to trust it); and because the projectile can be used any number of times, while the Hunt projectile after once being fired, either in drill or service, has to be returned to the manufacturer to be refilled, or a new one must be obtained, involving expense and trouble.

The Cunningham rocket system may be said to be an application of the Hunt projectile to a rocket. It consists of a powerful rocket, at the rear end of which is a female screw that receives the pointed end of a sheet-iron tube 5 ft. 9½ in. in length, and of equal diameter with the rocket. This tube is packed with 800 yards of No. 4 shot-line, which is connected with a shore-line in the same manner as in the Hunt system, and is paid out in flight as from the Hunt projectile. The tube also takes the place of the stick in other rockets. The shore-line can be of any size. The range of the rocket with a No. 4 shore-line is from 700 to 1,000 yards, which is diminished with other lines according to their sizes. With any line it exceeds that of any other rocket I have seen.

Several considerations have determined the choice of the gun for general use in the Life-Saving Service in preference to the rocket, among which are the following:—

1. Within its range it performs the desired service equally as well as any rocket at much less expense. The cost of the Lyle gun and all its appurtenances, exclusive of projectiles, is 87 dol. 83 c. The lowest cost of any efficient rocket with appurtenances that I know of is not much less. The only expense attending the use of the gun is the cost of the cartridge, say half a dime, except when occasionally a shot is lost, which can be replaced for 2 dollars. When a rocket is fired several dollars are expended. These facts are of consequence when considered in connection with the utility of frequent drilling.

2. The gun is very easily handled and readily prepared for firing. Everything can be done almost as well in the dark as in the light, and, if the weather be cold, without taking off the mittens. The manipulation of the rockets I have seen and experimented with is not so simple.

3. A rocket must be given considerable elevation in firing, whereby the line is carried high in the air—usually far above the stranded vessel—where it is exposed to the force of the wind, making it liable, in falling, to float wide of the mark and fail to drop across the vessel. The gun, on the other hand, can be given any elevation—even be depressed below a horizontal position if fired from a cliff—and the charge of powder can be graduated according to the distance the vessel lies from the shore, thereby greatly reducing the chance of failure.

A recent incident admirably illustrates the adaptability of the gun to exceptional situations. In the great storm of September last, the keeper of the Hunniwell's Beach station, on the coast of Maine, was notified that a wrecking crew of fifteen persons who were at work upon a vessel which had some time before struck upon Glover's Rock, some 5 miles distant from the station and out of sight, had hoisted a signal of distress. He put a heaving-stick, the Lyle gun, a shot-line, a whip-line, a breeches-buoy, and a spare line into the surf-boat, and with his crew set out for the rock. Arriving, he found the wreckers in danger of being engulfed by the growing sea, and that the boat could not approach near enough to enable him to reach the rock with the heaving-stick. He therefore anchored his boat, set the shot-line box on the stern, lashed the gun upon the after thwart, loaded it with a 1-ounce cartridge of powder, and fired, casting the line almost into the hands of the imperilled men. It was found impossible, however, to take them off with the breeches-buoy without great risk of their being dashed upon the projecting points of the rock. Fortunately, there was a small dory upon the rock, by means of which, with the use of the line, the whole number was drawn in six trips safely to the surf-

boat, which took them ashore through a sea which the keeper describes as as heavy as he ever saw. In the same storm the crew of the Lewes station, Delaware, fired the gun from the upper window of a fish-house, and landed the crew of a vessel into the loft with the breeches-buoy.

For a vehicle in which to transport people from a wreck to shore after line-communication has been established, the breeches-buoy is generally used, as in other countries. The life-car (which I believe to be the invention of Mr. Joseph Francis, of New Jersey, although this is disputed by Captain Douglas Ottinger, of the Revenue Marine Service, who claims to have devised it) is sometimes taken, however, especially where many persons are to be landed, and where the distance is too great to use the breeches-buoy. The car is a covered boat, made of corrugated galvanized iron, furnished with rings at each end, into which hauling-lines are bent, whereby the car is hauled back and forth on the water between the wreck and the shore without the use of any other apparatus. It is supplied, however, with bails, one near each end, by which it can be suspended from a hawser and passed along upon it like the breeches-buoy, if found necessary, as is sometimes the case where the shore is abrupt. The cover of the boat is convex, is provided with a hatch, which fastens either inside or outside, through which entrance and exit are effected. Near each end it is perforated with a group of small holes, like the holes in a grater, punched outward, to supply air for breathing, without admitting much, if any, water. It is capable of containing six or seven persons, and is very useful in landing sick people and valuables, as they are protected from getting wet. On the first occasion of its use it saved 201 persons.

In all other respects than those noted the beach-apparatus is the same as is used elsewhere.

A difficulty that has not infrequently seriously obstructed the operations of rescue, and which, I suppose, is familiar to all institutions which use the apparatus, is the inability of the ship's company to intelligently and promptly co-operate with the rescuing force. Improvidence has been imputed to sailors as a characteristic to an extent that is probably unjust. However that may be, it is certain that, as a rule, they do not in advance make the preparation for the emergencies of shipwreck that instinctive regard for their own safety would be expected to prompt. One would naturally suppose that every intelligent sailor—at least, every officer of a vessel—aware that there existed upon the coasts of nearly every country stations supplied with means of aiding their rescue if they should unhappily be cast ashore, would carefully acquaint himself with the methods employed. This is so far from being the case that tedious delays in the work of deliverance are frequently occasioned by their ignorance, which, in some instances in the history of our Service, have nearly proved fatal. The inscriptions printed in English and French upon the tally-boards or tablets, which are sent out with the whip-line and hawser, are explicit enough as to what is to be done after they are received, but they cannot always be read, sometimes on account of darkness, sometimes because no one on board is familiar with either the French or the English language.

Again, I have known instances in which sailors did not even know what to do with the shot-line sent them, and have with difficulty been made to understand that they were to haul it aboard. In dealing with this trouble we have followed the example of the Rocket Service of the Board of Trade in England, and published a pocket manual containing complete instructions for co-operating with the station crews, and showing by plain cuts the manner of setting up the parts of the apparatus sent on board. To this is added a list of the stations, with their locations, and other useful information relating to the Service. Each book is provided with a receptacle for cards, papers, &c., which makes the officers of vessels glad to get them and carry them in their pockets on account of the convenience they afford for the care of their small papers. Their value has been illustrated on several occasions of rescue, when the captains have stood, book in hand, and given directions from it as the operations progressed.

This device, however, has only partially remedied the evil. The distribution is not sufficiently general, in several nations not being made at all. I understand that in England and some other countries a knowledge of these matters is required as a qualification in officers of vessels. If the other maritime nations would also require this, the difficulties experienced would largely disappear. Emergencies arise, however, where, although the sailors well understand the part they have to take, progress would be greatly facilitated if there were some means of communicating between them and their co-operators on the shore, particularly at night. Such means would be advantageous not only on such occasions, but at other times, as when the shipwrecked, lured by the comparatively smooth appearance of the surf, as viewed from seaward, attempt to land in their own boats, while it can be plainly seen from the shore that the venture must be fatal. I think I can safely say that more lives are now lost within the scope of station operations through these attempts than from any other cause.

The telephone lines which now extend along nearly all those portions of the coast on which contiguous stations are located make it easy to quickly concentrate the crews of two or more stations at any point where additional force is required, as in the case when several wrecks occur at the same time in the same neighbourhood; and the double equipment at each station expedites this concentration by permitting the reinforcing crew to come unencumbered. A notable illustration of the benefit of such a combination of crews was the work achieved near Cape Henlopen in the great storm of the 10th, 11th, and 12th September last, one of the most destructive that has ever visited our coast, when the crews of three stations, under the leadership of Captain Clampitt, of the Lewes station, rescued the crews of 22 stranded vessels, 194 persons, by the use of every form of rescuing appliance: 23 being landed with the surf-boats, 16 with the self-righting life-boat, 135 with the breeches-buoy, and 20 with the life-car—not a life being lost.

The telegraph and railroad systems of the country are also used to secure the services of the crews at scenes of rescue far remote from their stations. On two occasions the Cleveland crew has been called to Cincinnati, Ohio, and Newport, Kentucky, a distance of 240 miles, to render aid to the sufferers from inundations in the Ohio Valley. On the first occasion 1,200 persons were succoured, on the second over 800. The crew of the Sturgeon Bay Ship Canal station, Lake Superior, was once called at

night to Chocolay Beach, near Marquette, Michigan, a distance of 110 miles. Proceeding by specia train running at the highest attainable speed, and taking with them their beach-apparatus and boat they reached the beach at midnight, and through a blinding snow-storm, and in spite of bitter cold, were able to board two stranded vessels and rescue 24 persons after every effort of the citizens had failed. Shorter journeys of from 15 to 30 miles by rail are frequently undertaken, especially where the railway skirts the shore, as it does on many parts of the coast.

At isolated stations, where aid from another station is not available, the keepers h ve authority to accept the assistance of volunteers, who are paid 3 dollars each per day upon the certificate of the of the keeper, approved by the District Superintendent.

After rescue the shipwrecked people are taken to the station and provided with every comfort it affords. They find hot coffee and dry clothing awaiting them, with cots for those who need rest and sleep. If any are sick or maimed, as is frequently the case, they are nursed and cared for until sufficiently recovered to safely leave; in the meantime, medical aid is called in if practicable. For wounds and ailments requiring only simple and well-known remedies, recourse is had to the medicine-chest, which is stocked with restoratives and medicines that can be safely used, and provided with a hand-book of directions. The sojourner also finds at hand a very fair library of books to relieve the tedium of his enforced detention.

The dry clothing is taken from a supply constantly kept on hand by the Women's National Relief Association, an organization established to afford relief to sufferers from disasters of every kind, and the libraries are the donations of the Seamen's Friend Society, and of sundry benevolent individuals. Several newspaper publishers send their papers regularly to many of the stations. The food is prepared by the keepers, or the station messes, who are reimbursed by the recipients if they have the means; if not, by the Government.

Occasionally unfortunate victims of shipwreck reach the shore to all appearances dead. In such cases the life-saving crews attempt their restoration according to the method for restoring the apparently drowned, in which they have been drilled as already described. When the Service was first organized we adopted the system then, and, I believe, still employed by nearly all life-saving organizations. It is known as the Hall Silvester method, containing features of each of the systems formulated by Dr. Marshall Hall and Dr. H. R. Silvester. A discussion of the subject in the "Life-Boat Journal" (February number, 1873), in which the "Direct Method," as it is called, recommended by Dr. Benjamin Howard, of New York, was brought to my attention, led to the adoption of the latter system with some slight modifications suggested by Dr. John M. Woodworth, late Surgeon-General of the United States' Marin Hospital Service. Dr. Frank Baker, Professor of Anatomy in the Medical Department of Georgetow n University, who is also connected with the Life-Saving Service, has, at my request, made a very tho rough examination of the various systems, and has submitted an exhaustive Report upon them. He states his general conclusion as follows:—

"The different methods all have in view the expulsion of the vitiated air in the lungs and the introduction of fresh. To effect this, respiratory movements are simulated. Hall does this by turning the patient on his face and compressing the thorax by pressure on the back, then turning him on the side and allowing the thorax to expand. The expulsion of air is but slight, but it is an excellent method of expelling fluids from the stomach and lungs. In Silvester's method the arms are first stretched at full length upward beside the head, then carried downward, pressing the elbows against the thorax. These motions are thought to alternately expand and contract the chest. It is difficult to understand how the first movement can produce an effective expansion, as the scapulæ are not fixed, and the muscles passing directly from the arms to the chest are inserted so high up on the thorax as to have but little, if any, effect. The second movement produces an expulsion of air, but not as effectively as in the method of Howard, by which the lower thorax and the abdomen are compressed, the diaphragm consequently pushed up and the lungs emptied. This method is believed to be more efficient than any other that has been employed. No active inspiratory movement is made, the expansive resiliency of the chest-wall springing back after compression being sufficient."

During the twelve years in which the "Direct Method" has been practised in the Service, 118 cases have come under the treatment of our crews. In this number of attempts at resuscitation 60 were successful and 58 unsuccessful. In some of the successful instances several hours elapsed after the patient was taken from the water before natural respiration was induced. Success has followed even after the patient had been pronounced dead beyond hope by reputable physicians. As to the results obtained by other methods I have been unable to secure any information.

Next to the success of the Service in saving life, that of its efforts in the saving of property is conspicuous. This is accomplished in getting vessels afloat when stranded, a work in which the surfmen are experts, in extricating them from dangerous situations, in pumping them out when leaking, in running lines between wrecked vessels and tugs when it cannot be done with ordinary boats, in rendering assistance in various ways, and in warning off vessels standing into danger. In the majority of casualties the surfmen succeed in saving the vessels and cargoes without any other aid than that of the ships' crews. When this is impossible they act in conjunction with the Revenue-cutters, which are equipped for rendering assistance in such cases if these vessels are available, or assist, if necessary, any other relief sent.

The tabular statistics published in the Annual Reports of the Service show, in reference to imperilled property, only the amount imperilled, the amount saved, and the amount lost within the field of station operations; but, in order to convey here a better idea of the value of the labours of the life-saving crews, I have had prepared a Statement of their salvage work during the years 1888 and 1889. This Statement shows that in 1888 the station crews saved, without any outside assistance, 194 vessels, valued, with their cargoes, at 1,495,550 dollars. The number of persons on board was 898. The number of vessels which they assisted other effort in saving was 88, the value involved being 2,170,500 dollars, and the number of persons on board 654. The aggregate number of vessels, there-

fore, which they saved, and assisted to save, was 282, the amount of property involved 3,666,050 dollars, and the number of persons on board 1,552. They also rendered assistance of less importance to 210 other vessels. In 1889 the crews saved, without outside assistance, 172 vessels, valued, with their cargoes, at 1,127,295 dollars. The number of persons on board was 823. The number of vessels which they assisted other effort in saving was 85, the value involved being 2,114,535 dollars, and the number of persons on board 623. The aggregate number of vessels, therefore, which they saved, and assisted to save, in this year was 257, the amount of property involved 3,241,830 dollars, and the number of persons on board 1,446. Assistance of minor importance was rendered to 253 other vessels. For all this, it must be remembered, they received no salvage.

But their usefulness as salvors of property does not end here. By the aid of the telephone lines, all of which are connected with telegraph stations, they give to the Maritime Exchanges and underwriters early notice of disasters, with information as to the condition of the vessels, the extent of additional aid required, if any, &c., or send directly to the nearest available place for tugs or other needed help, thus securing prompt assistance where delay would involve serious and perhaps fatal consequences. More valuable than this, perhaps, is the service rendered both to humanity and commerce in the prevention of disasters by the warning signals of the night and day patrol. Of course no estimate of the lives and property saved in this manner can be made. We only know the number of such warnings given. Last year they were 217. They have reached as high as 240 in a year, and during any of the last six years have not been less than 200.

It is pertinent to inquire what it costs to maintain this system, and whether the results produced are proportionate to the outlay. The expenditures vary considerably from year to year, as do also the aggregate results produced, the difference depending upon the number of new stations added to the establishment, and upon numerous contingencies. A summary of the expenditures and operations of any one year would therefore but imperfectly answer the inquiry. Such a statement, however, will be found interesting in other respects, and I give it in regard to the last fiscal year as extracted from the Annual Report, not yet printed: The total expenditures were 965,907 dol. 18 c., all but 163,454 dol. 3 c. of which was expended in the payment of the compensation of the officers and men and that of the clerical force—712,567 dol. 95 c. being paid to the keepers and surfmen alone. There were 378 disasters to documented vessels within the scope of the Service. There were on board these vessels 3,106 persons, of whom 38 were lost. The estimated value of property involved was 6,343,880 dollars. Of this amount, 4,995,130 dollars was saved and 1,348,750 dollars lost. The number of vessels totally lost was 63. In addition to the foregoing there were 150 casualties to smaller craft—sail-boats, row-boats, &c.—on which were 320 persons, of whom only 4 were lost. The property involved in these instances is estimated at 72,895 dollars, of which 59,310 dollars was saved and 13,585 dollars lost.

The results of all the disasters within the scope of the Service aggregate, therefore, as follows:—

Number of disasters	528
Value of property involved	$6,416,775
Value of property saved	$5,054,440
Value of property lost	$1,362,335
Number of persons involved	3,426
Number of persons lost	42
Number of vessels totally lost	63

To this statement should be added 787 shipwrecked persons succoured at the stations, the number of days' succour afforded being 1,732.

There were landed by the surf-boats 435 persons, by the self-righting life-boats 74, by the river life-skiffs (at Louisville) 56, by other station boats 179, by the breeches-buoy 193, by the life-car 10, by other means 40. There were besides 24 persons rescued who had fallen from wharves, piers, &t. The details relative to the saving of property, &c., have already been stated.

It may be mentioned that the loss of life from documented vessels last year was unusually large. The year before it was only 12. The average loss per annum since the introduction of the present system is 26.

The following is a general summary of the statistics of disasters that have occurred within the scope of the Service from the introduction of the present system in 1871 to the close of the last year:—

Number of disasters	4,924
Value of vessels	$55,473,190 00
Value of cargoes	$26,246,584 00
Value of property involved	$81,719,774 00
Value of property saved	$60,352,092 00
Value of property lost	$21,367,682 00
Number of persons involved	42,864
Number of lives lost	*505
Number of persons succoured	7,903
Number of days' succour afforded	20,837
Cost of maintaining the Service	$9,172,208 86

We would probably obtain a better idea of the relation between the cost of maintenance and the results by taking the aggregate during the seven years since the adoption of the present rate of wages, commencing July 1, 1883, and afterwards giving the average per station. In 1883 there were 194

* This includes 30 lost from undocumented vessels (small craft).

stations; 1884, 201; 1885, 203; 1886, 211; 1887, 218; 1888, 222; 1889, 225; making a total of 1,474 stations. The general cost and results may be summed up as follows:—

Cost during seven years	$5,791,184 05
Number of disasters	3,232
Value of property involved (vessels and cargoes)	$52,441,120 00
Value of property saved	$42,286,800 00
Value of property lost	$10,154,320 00
Number of persons on board	27,760
Number of persons lost	196
Number of shipwrecked persons succoured at the stations ...	4,831
Number of days' succour afforded	12,402
Number of disasters resulting in total loss of vessels	482

The average number of stations was 210, and the average annual cost of maintenance per station was therefore 3,928 dol. 89 c. Other average results per station per annum are as follows: —

Number of disasters...	2·19
Value of property involved	$35,577 42
Value of property saved	$28,688 47
Value of property lost	$6,888 95
Number of persons involved	18·97
Number of persons saved	18·84
Number of persons lost	·13
(Being 1 person to every 7 stations.)	
Number of persons succoured	3·27
Number of days' succour afforded	8·41
Number of disasters resulting in total loss of vessels	·33
(Being 1 to every 3 stations.)	

It is to be regretted that no data exist from which a definite comparison of the results of disasters to vessels upon the coasts, before and after the establishment of stations thereon, can be drawn. Unfortunately no provision of law was made for the collection of statistics pertaining to disasters beyond the scope of the Service until 1874, when authority was given to gather them. From the time, however, that the present life-saving system began its work upon the coasts of Long Island and New Jersey in 1871, all important data relating to casualties within its province have been secured. In 1849 and 1850, as I have before stated, the Government had erected upon these coasts boat-houses containing surf-boats and other life-saving appliances, each in charge of a keeper, for such effort as might be volunteered on occasions of shipwreck (a system somewhat similar to other existing volunteer systems), and although no definite record of the results of this experiment was kept, it is known that many lives were saved through the facilities it afforded. The number lost cannot be ascertained. I have positively learned, however, of the loss of 512 persons during the twenty years from 1850 to 1870, and have authentic information that these figures indicate but a fragment of the reality. Yet they afford the basis for some comparison. They give, for instance, an average annual loss of at least 25 lives. During the eighteen years of the existence of the present system the number lost upon this section of the coast has been 119, an annual average of only 7—a reduction of about 80 per cent.—which would doubtless be largely augmented if the facts could be ascertained, and this, notwithstanding the number of disasters has greatly increased as a consequence of the growth of the commerce of the country, particularly that of New York and Philadelphia.

It will be observed, too, that the ascertained loss of 512 lives during the twenty years of the volunteer system, although confined to a very small section of the coast, is greater than that upon all the dangerous coasts which have come under the protection of the present system during the last eighteen years. Yet this latter number (505) includes 30 lives lost from undocumented vessels (small craft), while the former does not embrace such. It also contains the lives of 28 wreckers lost from the steam-ship "Circassian" in 1876, on the Long Island coast, for whose rescue the breeches-buoy apparatus had been set up, but was deliberately and against the keeper's protest cast overboard by the wrecker in charge, for fear that his men would become frightened and avail themselves of it as the storm increased, while he hoped to float the vessel at high tide. If these be deducted, the number will be reduced to 447, and yield an average annual loss for the entire Service less than that upon the New Jersey and Long Island coasts alone under the volunteer system. I may here remark that in making up the annual record of the loss of life under the present system, care has always been taken to include every instance that could with any degree of fairness be said to have occurred within the field of the operations of the Service; the doubtful cases have been counted in, and among them are others than those specified above that could be deducted with equally good reason.

I have thus endeavoured to present a sketch of the organization and methods of the Life-Saving Service of this country, and to convey an accurate idea of its effectiveness. Doubtless the system appears to be an expensive and elaborate one, but it must be remembered that, putting aside entirely the consideration of the value of human life, which is beyond computation, it saves many times its cost in property alone, and that it fulfils the functions usually allotted to several different agencies. It rescues the shipwrecked by both the principal methods which human ingenuity has devised for that purpose, and which in some countries are practised separately by two distinct organizations; it furnishes them the subsequent succour which elsewhere would be afforded by Ship-wrecked Mariners' Societies and Marine Hospitals; it guards the lives of the persons in peril of drowning by falling into the water from piers and wharves in the harbours of populous cities, an office usually performed by Humane Societies; it nightly patrols the dangerous coasts for the early discovery of

wrecks and the hastening of relief, thus increasing the chances of rescue and shortening by hours intense physical suffering and the terrible agony of suspense; it places over peculiarly dangerous points upon the rivers and lakes a sentry prepared to send instant relief to those who incautiously or recklessly incur the hazard of capsizing in boats; it conducts to places of safety those imperilled in their homes by the torrents of flood, and conveys food to those imprisoned in their houses by inundation and threatened with famine; it annually saves, unaided, hundreds of stranded vessels with their cargoes from total or partial destruction, and assists in saving scores of others; it protects wrecked property, after landing, from the ravage of the elements and the rapine of plunderers; it extricates vessels unwarily caught in perilous positions; it averts numerous disasters by its flashing signals of warning to vessels standing into danger; it assists the Customs Service in collecting the revenues of the Government; it pickets the coast with a guard which prevents smuggling, and in time of war, surprise by hostile forces. I might considerably extend the catalogue of its beneficent offices. I could tell of the valuable aid it has rendered to scientific research; of its contributions of rare specimens to the Department of Marine Zoology in our National Museum; of the hotels, dwellings, mills, and other structures it has saved from destruction by fire; of its timely detection and prevention of burglaries and robberies, and of many other services inuring to the public benefit which it has incidentally rendered. But I must not detain the Committee longer. I have made a heavy draft upon its time and patience, which nothing but the importance of the subject would justify. The Conference sits in council charged with the responsibility of devising means to secure, if possible, a greater measure of safety to those who go down to the sea in ships. It is a responsibility of the gravest nature, in which we have an important share. We are to study the different methods of dealing with the contingencies of shipwreck; to compare the results of our individual experience and observations, and deduce for the consideration of the Conference such rules of action as seem to us practicable and best for common adoption. Of course, it is not apprehended that it is possible, or perhaps even desirable, that the diverse systems and methods pertaining to the various life-saving institutions of the world should be made uniform, but if the Conference could have the benefit of a full exposition of all of them, perhaps some of the best features of each system might be selected and recommended for general extension. Under these considerations and with this view I have felt that I ought not to omit, even at the risk of being tiresome, the mention of anything essential to afford a just conception of the general character and scope of our Service, which is so unlike all other organizations established for similar purposes.

Appendix (F).

Report of Committee on Life-Saving Systems and Devices.

Memoranda relating to Life-Saving Institutions on the Coasts of Europe.

THE following information and statistics have been collected with reference to institutions for the saving of life from shipwrecks in various European countries:—

Austria.

(Translation.)

* * * * * * *

There are in this Empire neither public nor private life-saving institutions, such as exist in the United States of America, because conditions on the east coast of the Adriatic do not render such institutions necessary.

In cases of wrecks or other disasters, the health officers of the port are bound to adopt the required measures to offer the first assistance to the endangered persons, and to secure, if possible, ship and cargo, to which end they use the boats, anchors, and ropes which are at their disposal.

Of these officers or harbour police, those stationed at Trieste, Lussinpiccolo, Zara, and Spalato are provided with steamers, and the one at Rovigno has a sail-boat, to offer effective assistance in the saving of life.

The harbour police at the remaining ports are empowered to hire private boats and help in case their means of rendering assistance are insufficient.

Aside from these there are life-saving boats, especially constructed for the purpose, stationed in four ports on the coast of Istria, where traffic is greatest, which serve at the same time as guard-ships to the Revenue officers, namely, at Umago and Cittanova, on the west coast of Istria, the life-boats Nos. III and V, built respectively in 1876 and 1878; at Rabaz, on the east coast of Istria, life-boat No. I, built in 1876; and at Faresina, on the Island of Cherso, life-boat No. II, built in 1883.

These boats are always kept in a state ready for use at a moment's notice, are perfectly seaworthy, and are adapted, when properly manned, to saving life at sea.

The above-named officers and men of the harbour police report by telegraph each disaster taking place in their respective districts to the Chief of the Marine Department, who, according to circumstances, adopts further measures for saving the vessel in distress.

There are no special publications issued or any reports made by the above-named officers. The Chief of the Marine Department simply collects the data as furnished by each station relative to name and tonnage of vessels, location, and cause of accident, damage, and loss of life sustained, and publishes these annually in the "Annuario Marittimo."

Nor is the life-saving service at sea on the coasts of the Hungarian Monarchy intrusted to a

special institution, but is performed by the harbour police, supplied for this purpose with the necessary crews, boats, and material.

The publications treating of life-saving appear in the Annual Reports of the Royal Hungarian Marine Department at Fiume, in the official weekly newspaper, and in the monthly series of the "Reports of the Royal Hungarian Ministry of Commerce."

* * * * * * *

(For the Minister of Foreign Affairs),
(Signed) M. PASETTI.

Vienna, November 13, 1888.

BELGIUM.

(Translation.)

Mr. Minister, *Ministry of Foreign Affairs, Brussels, September* 8, 1888.

* * * * * * *

I have the honour to inform you, Mr. Minister, that, contrary to what you appear to presume and to that which is practised in several other countries, notably in France and in England, the service of maritime assistance in the kingdom is not organized by philanthropic Societies. It is an institution of the State, placed under the control of the Minister of Railroads, Posts, and Telegraphs (Administration of the Marine), and of which all the expenses of the personnel and the material that it requires are at the charge of the Government.

I will add, Mr. Minister, that in that which concerns the Reports and publications referred to in your letter aforesaid, of the 11th August ultimo, the Administration of the Marine does not publish life-saving annals.

Pray accept, &c.
(For the Minister),
The Secretary-General,
(Signed) Baron LAMBERMONT.

Mr. Lambert Tree, &c.,
Brussels.

The Life-Saving Service, established since 1838, is a State institution.

The Government alone bears all the expenses for material, crews, and staff, necessitated by the organization and maintenance of the Service.

The life-saving stations are scattered along the whole coast for a distance of 65 kilom.

There are stations at Adinkerke, Nieuport, Ostende, Blankenberghe, and at Knocke. A new one is in course of erection at Coq, between Blankenberghe and Ostende.

At Nieuport and Blankenberghe there is a station on both sides of the harbour, as well as at Ostende, where there is a large life-boat, which is towed by one of the Government tugs in case a vessel should be in distress in the offing.

Each boat's crew consists of a coxswain, one or two assistants, and from seven to twelve rowers.

There is a life-boat at each of the stations provided with all the necessary apparatus and appliances for assisting crews and vessels in distress, always ready to be launched.

A wreck-gun and projectiles are placed at the disposition of the chief of the station for the purpose of establishing line-communication with the shore when the state of the sea prevents even insubmersible boats from approaching the wreck.

The boats and apparatus are stored in sheds, situated in places easiest of access to the beach. Each station has a supply of medicine and surgical appliances. The care of shipwrecked crews is superintended by the physician attached to the station.

DENMARK.

Direction of the Life-Saving Service of North Jutland.

Lemvig, September 20, 1889.

In herewith returning the inquiry of the Treasury Department at Washington in relation to various points connected with the Life-Saving Service on the Danish coasts, which inquiry was received together with the communication of the Ministry of the 17th instant, I would state as follows:—

The institutions in this country for the rescue of the shipwrecked are that of North Jutland, that of Bornholm, and that of Möen.

As regards the Life-Saving Service of North Jutland, I would refer to the list of stations and persons employed thereat, which appears in the Report of the last fiscal year.

The expense of the Life-Saving Service is defrayed by the State exclusively.

The number of life-saving stations will be found in the inclosed Notice to Navigators.

As regards the operations for the year up to the 31st March, 1889, within the scope of the life-saving stations of Jutland, I would state:

The number of cases of stranding was 73.

The value of the property saved and lost on these occasions is unknown to me, and no information can be given on this subject.

The number of persons shipwrecked on the occasions of the aforesaid 73 strandings was 742.

The number of persons rescued, 737.

Four shipwrecked persons perished on the coast when the vessel went to pieces, which it did

before assistance could be rendered, and during a collision with one of the light-ships on the coast, a seaman belonging to the crew of the colliding vessel was killed by a falling spar; thus five men in all perished.

As shipwrecked persons are not cared for, at Danish life-saving stations, for the reason that sufficient accommodations are afforded by the neighbouring inhabitants, the inquiries on this subject are not applicable to the state of things in this country.

The number of vessels totally lost during the aforesaid fiscal year was 40.

As regards the result obtained from the time of the establishment of our Life-Saving Service, computed from the 15th April, 1851, to 31st March, 1887, I will refer, as far as Jutland is concerned, to the following extracts from the Director's List of Strandings, and will answer the inquiries as follows:—

The whole number of vessels stranded during the above-named period was	2,208
The number stranded in 1887–88 was	62
The number stranded in 1888–89 was	73
Total	2,343

The value of those vessels, as already stated, is unknown.

According to the extract, the number of shipwrecked persons was	17,356
For 1887–88 add	411
For 1888–89 add	742
Total	18,509

According to this, up to March 31, 1887, the number of shipwrecked persons who were rescued was	16,381
In 1887–88 the number of persons rescued was	398
In 1888–89 the number of persons rescued was	737
Total	17,516

Up to March 31, 1887, the number of those lost was	975
In 1887–88 the number of those lost was	13
In 1888–89 the number of those lost was	5
Total	993

* * * * * *

From April 1857, up to March 31, 1887, the number of vessels totally lost was	1,550
In 1887–88 the number of vessels totally lost was	43
In 1888–89 the number of vessels totally lost was	40
Total	1,633

In addition to the shipwrecked persons previously mentioned, the crews on board of	18,509
180 "dead" vessels which were driven in up to March 31, 1889, were	1,046
Total	19,955

From the "dead" vessels driven upon the coast, the number of persons who perished in the open sea was	259
Before the stranding of not "dead" vessels took place, the number of those who perished at sea was	35
Total	294

Although the 294 persons last mentioned did not come under the information desired by the Treasury Department, I have, nevertheless, thought proper to furnish information concerning that portion of the "dead" vessels driven in, and concerning other persons who lost their lives at sea.

* * * * * * *

A number of the foregoing data have been taken from the Annual Reports of the operations of the Life-Saving Service, while others have taken from other sources.

The concise information desired by the Department at Washington, a portion of which is herewith communicated, is not found in the aforesaid Reports or in any other documents that are known to me.

Very respectfully,

(Signed) A. ANDERSEN.

To the Ministry of the Interior.

Extract from the List of Strandings at the Life-Saving Stations of Jutland.

(Prepared by Vice-Consul A. Andersen, Director of the Life-Saving Service of Jutland).

Introductory Remarks.

Before the Life-Saving Service was organized in Jutland, in the year 1852, means were adopted at certain points on the coast for the rescue of shipwrecked persons. Consequently, the list prepared includes shipwrecks on the west coast of Jutland for the period commencing 20th April, 1851. The enumeration is continued up to the 31st March, 1887, and includes portions of the Cattegat coast.

The first printed Report concerning the operations of the Life-Saving Service in this country appeared in the year 1858. As it was considered desirable, and even important on several accounts, that the list should embrace, as far as possible, all the losses that had occurred within the scope of the life-saving stations, even before the issue of the first Report, efforts were made to collect the necessary data on the subject.

This had special reference to the so-called "dead" vessels, *i.e.*, vessels driven ashore without any living persons on board, concerning the fate of whose crews the yearly Reports could, as a rule, contain no information from the nature of the case.

Concerning the crews of 126 out of 173 "dead" vessels embraced in the list, of which the number of men saved in the open sea was ...	735
And that of those who perished in the open sea was	*293
Total	1,028

some information was obtained only by way of exception.

The fact that it was found possible to obtain some of these data after the lapse of a comparatively long period of time is due, in a great measure, to the obliging disposition which the inquiries in question met with, almost without exception, among the local authorities on the coast, as well as among the Danish Consuls-General, Consuls, and Vice-Consuls in foreign countries, at the Record Office of Shipping, at the Bureau Veritas, at the editorial office of the "Berlingske Tidende," &c.

The aforesaid crews belonging to "dead" vessels, which, as already remarked, consisted of 1,028 men, are not taken into consideration in these observations, because the life-saving stations were unable to exert any influence over their fate.

The number of cases of stranding given in the list, from folio 1 to 111, is...		2,214
Of these no information could be obtained concerning	43	
And in	6	
cases the operation was repeated at the place of stranding, and is mentioned a like number of times in the list ...	—	49
The number of stranded vessels concerning which information was obtained was thus		2,165

To wit:—

		Rescued.	Lost.	Per Cent. Lost.	Number of Vessels stranded.
Under the Danish flag, in the list, folio	116–132	2,014	113	5·31	413
„ Norwegian flag, „	133–149	2,157	100	4·43	336
„ Swedish „ „	150–159	1,640	111	6·34	191
„ German „ „	161–181	3,887	211	5·15	490
„ English „ „	182–196	3,334	272	7·54	358
„ Dutch „ „	197–207	1,251	44	3·40	215
„ Russian „ „	208–211	1,384	36	2·53	80
„ French „ „	215–218	520	42	7·47	64
„ American „ „	220	105	0	3·24	8
„ Belgian „ „		11	0		3
„ Portuguese „ „		19	0		2
„ Spanish „ „		12	6		2
„ Italian „ „		18	0		2
„ Austrian „ „		14	0		1
Rescued from vessels, nationality was not ascertained		15			
Lost through the stranding of such unknown vessels		..	40		
		16,381	975		2,165
The coast life-boats rescued from Danish fishing-vessels		123			
Total		16,504	975		2,165

If the last-named fishermen, rescued by life-boats, are not counted, the average percentage of persons who perished on the coast will be 5·62 of the number of persons shipwrecked.

* 31 men of this number, although they perished in the open sea, did not belong to "dead" vessels.

The fact that the percentage of those lost is so different for the different flags is to be attributed to various circumstances. The heavy loss of the English is principally due to their well-known disposition to attempt to land with their own boats. The low percentage of the Dutch is to be attributed to their flat-bottomed vessels, which were able to come nearer to land than others of the same size but with sharper bottoms, and the case was the same in respect to the Russians when the frigate "Alexander Newsky" was stranded with a numerous crew on board.

The number of vessels stranded which were known was	2,165
The number of those concerning which no information could be obtained was	43
Total	2,208
The number of these got afloat (including 9 "dead" vessels) was ...	658
While those totally lost were	1,550
Total	2,208

In addition to these strandings a number of vessels ran aground in the course of the year, but succeeded in getting afloat again by their own efforts, without having any connection with the land.

According to folio 111, the number of persons rescued by life-boats was	2,136	
And by fishermen	123	
		2,259
By the rocket apparatus	2,145	
And with rocket apparatus previously to 1851	12	
		2,157
With both combined		68
Total		4,484

They are thus divided:—

Established.	Life-boats.	Rocket Apparatus.	Both combined.	Total.
1850–1851	..	12	..	12
1851–1852	..	18	..	18
1852–1853	4	35	..	39
1853–1854	38	12	..	50
1854–1855	49	10	..	59
1855–1856	7	101	..	108
1856–1857	21	23	..	44
1857–1858	13	8	11	32
1858–1859	25	133	..	158
1859–1860	40	19	..	59
1860–1861	90	120	..	210
1861–1862	9	47	..	56
1862–1863	86	75	..	161
1863–1864	83	95	..	178
1864–1865	49	48	..	97
1865–1866	54	56	..	110
1866–1867	31	110	..	141
1867–1868	70	110	..	180
1868–1869	34	35	..	69
1869–1870	89	50	5	144
1870–1871	57	35	39	131
1871–1872	62	30	10	102
1872–1873	69	39	..	108
1873–1874	92	101	..	193
1874–1875	89	50	..	139
1875–1876	14	45	..	59
1876–1877	57	32	..	89
1877–1878	88	97	..	185
1878–1879	96	15	..	111
1879–1880	142	30	..	172
1880–1881	77	106	3	186
1881–1882	175	64	..	239
1882–1883	74	55	..	129
1883–1884	100	54	..	154
1884–1885	88	207	..	295
1885–1886	101	45	..	146
1886–1887	86	35	..	121
Total	2,259	2,157	68	4,484

The number of life-saving stations in Jutland on the 1st day of April, 1888, was forty-four, three of which were sub-stations, under the management of men residing in the neighbourhood.

The aforesaid operations took place at the following life-saving stations:—

Established.	Life-boats.	Rocket Apparatus.	Both combined.	Total.
1860, Aalbeck ..	66	..	..	66
1852, Skagen ..	162	15	..	177
1869, Gl. Skagen	272	11	..	283
1852, Kandestederne	150	5	..	155
1866, Tversted	70	..	..	70
1852, Nörre-Tornby	149	17	..	166
1852, Lönstrup	82	9	..	91
1852, Lökken ..	177	1	..	178
1852, Blokhus ..	87	3	..	90
1852, Slettestrand	7	8	..	15
1857, Thorupstrand	51	23	..	74
1852, Lildstrand	30	26	..	56
1852, Haustedholm	37	54	..	91
1852, Klitmöller	56	201	..	257
1852, Nörre Vorupöre	75	175	..	250
1882, Lyngby ..	..	19	..	19
1862, Hedegaardene	..	47	..	47
1852, Vesteragger	46	440	5	491
1852, Aggerkanal (finished 1874) ..	117	..	..	117
1852, Thyborön	47	243	..	290
1852, Flyvholm	104	252	..	356
1860, Ferring ..	..	92	..	92
1852, Tuskjiar	74	131	11	216
1882, Thorsminde	..	3	..	3
1858, Fjand ..	..	109	..	109
1852, Vedersö ..	46	60	5	111
1857, Söndervig	..	38	..	38
1852, Sönderlyngvig	..	38	..	38
1860, Haurvig ..	..	33	..	33
1852, Bjerregaard	..	59	..	59
1857, Nymindegab	18	16	39	73
1852, Hennegaard	..	5	..	5
1852, Blaavand	125	..	..	125
1877, Svenske Knolde	5	..	..	5
1862, Rindby ..	22	..	..	22
1870, Fornaes ..	..	7	..	7
1871, Osterby ..	88	5	5	98
1875, Vesterö ..	73	..	..	73
1878, Anholt ..	23	..	..	23
And in 1850–1851	..	12	..	12
Total	2,259	2,157	68	4,484

In operations of this kind, extending over a period of thirty-six years, there were, of course, some cases of disaster. Of these, we will mention the capsizing of four life-boats while attempting to rescue shipwrecked persons, on which occasions eleven boatmen and twelve of the persons who had been taken into the boats perished; also four capsizings, which caused the death of eight men, who were in boats, going through the life-saving drill.

The work done by the persons employed at the life-saving stations of Jutland (who, on the 31st March, 1887, were 39 overseers and 391 boatmen and assistants) may be divided as follows:—

Four overseers and 41 boatmen and assistants took part in the rescue of from 4 to 6 shipwrecked persons.

Four overseers and 48 boatmen and assistants took part in the rescue of from 11 to 20 shipwrecked persons.

Six overseers and 53 boatmen and assistants took part in the rescue of from 21 to 30 shipwrecked persons.

Seven overseers and 51 boatmen and assistants took part in the rescue of from 31 to 50 shipwrecked persons.

Three overseers and 59 boatmen and assistants took part in the rescue of from 51 to 70 shipwrecked persons.

Four overseers and 32 boatmen and assistants took part in the rescue of from 71 to 100 shipwrecked persons.

Four overseers and 26 boatmen and assistants took part in the rescue of from 101 to 200 shipwrecked persons.

Four overseers took part in the rescue of from 201 to 417 shipwrecked persons.

Twenty-two boatmen and assistants took part in the rescue of from 201 to 491 shipwrecked persons.

In connection with the foregoing concise statement of the nationality of the stranded vessels, the following details are given:—

STRANDED VESSELS UNDER THE DANISH FLAG.

	Vessels.	
The number of vessels, with crews, that were totally lost was ...	240	
Without crews (dead vessels)	16	
		256
The number got afloat was		157
Total		413

	Men.	
Rescued by boats belonging to life-saving stations	245	
Rescued by the rocket apparatus of life-saving stations ...	165	
Rescued by both apparatuses combined	8	
		418
Rescued by private boats from land	310	
Rescued by other private assistance from land	250	
Rescued by getting vessels afloat, and by their own efforts (including bringing to land)	994	
Rescued by both methods combined	42	
		1,596
Lost when vessel went to pieces	75	
Lost in attempting to land by their own efforts	10	
Killed or washed overboard during stranding	28	
		113
Total		2,127
Percentage of persons lost on the coast = 5·31.		
To the crews belonged, moreover, the men rescued in the open sea	25	
And those lost in the same	58	
		83
Total		2,210

VESSELS STRANDED UNDER THE NORWEGIAN FLAG.

	Vessels.	
Totally lost, with crew		212
Without crew (dead vessels)		44
		256
Got afloat		80
Total		336

	Men.	
Rescued by boats belonging to life-saving stations	398	
Rescued by rocket-apparatus belonging to life-saving stations ...	431	
Rescued by both apparatuses combined	5	
		834
Rescued by private boats from the land	252	
Rescued by other private help from land	141	
Rescued by the vessels being got afloat, and by their own efforts (including bringing to land)	864	
Rescued by both methods combined	66	
		1,323
		2,157
The number of those who perished when the vessel went to pieces was...	53	
The number of those who perished in attempting to land ...	23	
The number of those killed or washed overboard during the stranding was	24	
		100
Total...		2,257
Percentage of those who perished on the coast = 4·43.		
To the crews belonged, moreover, those rescued in the open sea...	231	
And those lost in same	128	
		359
Total		2,616

VESSELS STRANDED UNDER THE SWEDISH FLAG.

	Vessels.	
Totally lost, with crew	133	
Without crew (dead vessels)	8	
		141
Got afloat		50
Total		191

		Men.
Rescued with boats belonging to life-saving stations	292	
Rescued with rocket apparatus belonging to life-saving stations...	213	
		505
Rescued by private boats from land	218	
Rescued by other private help from land	82	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	790	
Rescued by both methods combined	45	
		1,135
		1,640
Lost when vessel went to pieces	44	
Lost in attempting to land by their own efforts	18	
Killed or washed overboard during stranding	49	
		111
Total...		1,751
Percentage of those lost on the coast = 6·34.		
To the crews belonged also those rescued in the open sea ...	51	
And those lost in same	17	
		68
Total		1,819

VESSELS STRANDED UNDER THE GERMAN FLAG.

		Vessels.
Totally lost, with crew	328	
Without crew (dead vessels)	23	
		351
Got afloat with a crew	136	
Without crew (dead vessels)	3	
		139
Total		490

		Men.
Rescued by boats belonging to life-saving stations	493	
Rescued by rocket apparatus belonging to said stations ...	543	
		1,036
Rescued by private boats from land	511	
Rescued by other private help from land	225	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	2,002	
Rescued by both methods combined	113	
		2,851
		3,887
Lost when vessel went to pieces	132	
Lost in attempting to land by their own efforts	32	
Killed or washed overboard during stranding	47	
		211
Total		4,098
Percentage of those lost on the coast = 5·15.		
To the crews belonged also those rescued in the open sea ...	100	
And those lost in same	43	
		143
Total		4,241

VESSELS STRANDED UNDER THE ENGLISH FLAG.

		Vessels.
Totally lost, with crew	193	
Without crew (dead vessels)	26	
		219
Got afloat, with crew	134	
Without crew (dead vessels)	5	
		139
Total		358

	Men.	
Rescued by boats belonging to life-saving stations	456	
Rescued by rocket apparatus belonging to same	397	
Rescued by both apparatuses combined	50	
Rescued by private boats from land	351	
Rescued by other private help from land	142	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	1,739	
Rescued by both methods combined	199	
	—	2,431
		3,334
Lost when vessel went to pieces	120	
Lost while attempting to land by their own efforts	114	
Killed or washed overboard during stranding	38	
	—	272
Total		3,606

Percentage of those lost on the coast = 7·54.

To the crews belonged also those rescued in the open sea ...	189	
And those lost in same	39	
	—	228
Total		3,834

Vessels Stranded under the Dutch Flag.

	Vessels.	
Totally lost, with crew	164	
Without crew (dead vessels)	4	
	—	168
Got afloat		47
Total		215

	Men.	
Rescued by boats belonging to life-saving stations	113	
Rescued by rocket apparatus belonging to same	164	
Rescued by both apparatuses combined	5	
	—	282
Rescued by private boats from land	182	
Rescued by other private help from land	86	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	622	
Rescued by both methods combined	79	
	—	969
		1,251
Lost when vessel went to pieces	14	
Lost in attempting to land by their own efforts	6	
Killed or washed overboard during stranding	24	
	—	44
Total		1,295

Percentage of those lost on the coast = 3·40.

To the crews belonged also those rescued in the open sea ...	22	
And those lost in same	2	
	—	24
Total		1,319

Vessels Stranded under the Russian Flag.

	Vessels.	
Totally destroyed, with crew	58	
Without crew (dead vessels)	4	
	62	
Got afloat	18	
	—	80

	Men.	
Rescued by boats belonging to life-saving stations	91	
Rescued by rocket apparatus belonging to same	155	
		246
Rescued by private boats from land	568	
Rescued by other private help from land	267	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	289	
Rescued by both methods combined	14	
		1,138
		1,384
Lost when vessel went to pieces	24	
Lost in attempting to land by their own efforts	5	
Killed or washed overboard during stranding	7	
		36
Total		1,420

Percentage of those lost on the coast = 2·53.

To the crews belonged also those rescued in open sea	28	
And those lost in same	6	
		34
Together		1,454

Vessels Stranded under the French Flag.

	Vessels.	
Totally lost, with crew	44	
Without crew (dead vessel)	1	
	45	
Got afloat	19	
		64

	Men.	
Rescued by boats belonging to life-saving stations	18	
Rescued by rocket apparatus belonging to same	66	
		84
Rescued by private boats from land	24	
Rescued by other private help from land	68	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	315	
Rescued by both methods combined	29	
		436
		520
Lost when vessel went to pieces	25	
Lost in attempting to land by their own efforts	13	
Killed or washed overboard during stranding	4	
		42
Total		562

Percentage of those lost on the coast = 7·47.

To the crews belonged also those rescued in the open sea	6
Together	568

Stranded Vessels of other Nationalities.

	Vessels.	
Totally lost, with crew	10	
Without crew (dead vessel)	1	
		11
Got afloat with crew	6	
Without crew (dead vessel)	1	
		7
		18

	Men.	
Rescued by boats belonging to life-saving stations	30	
Rescued by rocket apparatus belonging to life-saving stations ...	11	
		41
Rescued by private boats from land	13	
Rescued by other private help from land	2	
Rescued by vessels being got afloat, and by their own efforts (including bringing to land)	123	
		138
		179
Lost in attempting to land by their own efforts		6
Total		185
Percentage of those lost on the coast = 3·24.		
To the crews belonged also those rescued in the open sea		83
Together		268

France.

The services appear, for the most part, to be performed by the "Société Centrale de Sauvetage de Naufragés," founded in 1865. From the journal of that Society ("Annales du Sauvetage Maritime," tome xxiv, 1889) it is seen that the Society is supported mainly by voluntary contributions, having, however, a subsidy from the Government. The Society has 422 stations on the coasts of France and Algeria, employing 2,000 persons, most of whom are also employed in the Customs Service. Seventy-seven of the stations are provided with life-boats. From its foundation to the 1st October, 1889, the Society has saved by means of its boats and apparatus 4,561 persons and 286 vessels. It has besides assisted 175 vessels, and given rewards for saving of the lives of 823 persons.

Germany.

German Society for the Saving of the Shipwrecked.

Bureau of Management, Martini Strasse No. 41,
September 17, 1889.

* * * * * * *

The entire life-saving service on the German coasts is under the management of the German Society for the Rescue of the Shipwrecked. This Society is located at Bremen, and was founded on the 29th May, 1865.

The following statements will furnish information concerning the organization of the Society. It is under the patronage of His Majesty William II.

The presiding officers of the Society are:—

(*a.*) Consul W. H. Meyer, President.

(*b.*) Dr. Marcus, a Senator, who acts as President in the absence of M. Meyer.

(*c.*) Captain H. Steengrafe, a member of the Society; all of whom are residents of Bremen.

The officers of the Society are:—

(*a.*) Captain G. Pfeifer, Inspector.

(*b.*) Mr. Otto Kroll, Accountant; and the undersigned.

The Society is a private one, and is entirely supported by voluntary contributions.

The Society has 111 life-saving stations. Of these, 66 are on the Baltic, and 45 on the North Sea. Forty-two stations are double stations, provided with a boat and rocket apparatus; 51 are only boat stations, and 18 are only rocket stations.

* * * * * * *

(*a.*) The whole number of disasters to vessels on the German coasts in 1888-99, from the 1st April to the 31st March, was 43.

(*b.*) The whole number of persons that were on board of these 43 vessels was 281.

(*c.*) Of whom 254 were rescued.

Of these, 95 were saved by their own efforts; 67 were saved by other vessels; 46 were saved by private assistance from shore; and 46 were saved by the life-saving apparatus; 26 having been rescued by life-boats, and 20 by the rocket apparatus.

(*d.*) Twenty-seven persons perished.

From the foundation of the Society, the 29th May, 1865, up to the 1st April, 1889, 1,743 were rescued by life-saving stations. Of these, 1,452 were rescued by life-boats, and 291 were rescued by rocket apparatus.

The whole number of the vessels wrecked on the German coasts during this time was 1,892, with 10,208 persons on board. Of these, 9,404 were rescued, so that 804 persons perished.

We would here remark that the data given, *sub numeris* (5) and (6), have been taken solely from the statistics collected by our Society for its own use.

Fuller statistics of disasters to vessels on the German coasts are prepared and published by the Imperial German Statistical Bureau. (Statistics of the German Empire, published by the Imperial Statistical Bureau, new series, vol. xlii, part 1, for the year 1888; vol. xxxv, part 1, for the year 1887, and Comparative Tables, published at the same place, of "Disasters to Vessels on the German Coast in the years 1883-87," October number of the Monthly Statistical Reports of the German Empire, year 1888, also separately printed.)

* * * * * *

Very respectfully,
(Signed) DR. BOISSELIER, *Secretary-General.*

GREAT BRITAIN.

The life-boat service is mainly under the charge of the Royal National Life-boat Institution, founded in 1824. Their stations, now numbering 293, are managed by volunteer crews. An annual salary is paid to a coxswain and an assistant for each boat. The other boatmen are paid a fixed sum for each occasion of service and drill. The coxswain and assistant are also paid a like sum in addition to the regular salary. During 1888, 26 vessels and 626 lives were saved by them, and 174 rewards were given for saving lives by fishing and other boats. The total number of lives saved since the foundation amounts to 35,043, including lives saved each year by boats not belonging to the Institution, but which were rewarded by it for their services.

The rocket service is in the hands of the Board of Trade, and was organized under its present system in 1855. On the 30th June, 1888, there were 302 rocket stations, as well as 374 stations where belts and lines are provided for the rescue of those accidentally falling into the water. From July 1856 to June 1887 there were saved by the rocket apparatus 11,080 persons. The operations on wrecks are conducted by the coastguard, who also patrol the coast.

Other stations also exist under charge of various local corporations and private parties.

HOLLAND.

Bijlagen.

1. All documents published.
2. Nominal list of all those who constitute the Local Direction.
3. List of the stations with boats and rocket apparatus.

Het Bestuur der Noord- en Zuid-Hollandsche Redding-Maatschappij aan Treasury Department, Office of General Superintendent, United States' Life-Saving Service, Washington, D.C.

Agreeable to your writing of the 21st July last, we have the honour of furnishing the following information, and to inclose a copy of all printed documents published by us, with lists for more complete details.

1. Names and locations of all institutions having for their object the saving of life from shipwreck.

(1.) "Noord- en Zuid-Hollandsche Redding-Maatschappij," at Amsterdam.

(2.) "Zuid-Hollandsche Maatschappij tot Redding van Schipbreukelingen," at Rotterdam.

As to last-mentioned Company, we cannot give you any information. You should direct your request to that Company at Rotterdam.

2. The organization of each, including the names and functions of their officers.

The organization will appear from the inclosed documents, whereas the names and functions of our officers are noted on an inclosed list (first list).

3. How supported, whether by the Government, wholly, or in part, or by the contributions of private citizens entirely.

The Company is erected and maintained only by contributions of private persons, without any assistance from Government.

4. Number and location of each life-saving station, with the apparatus used at each; as life-boat, rocket, or other line-throwing apparatus.

See annexed list (second list).

To afford any specification about property cannot be done. Our Company, according to her Statutes, has in view exclusively the saving of persons.

We may answer your inquiries about last year as follows:—

1. Total number of disasters, 16.
6. Total number of persons saved, 46 with salvage means; 37 in other ways.
7. Total number of persons lost, 25.
8. Total number of shipwrecked persons succoured at stations 2 men at Scheveningen.
9. Total number of days' succour afforded, 16.

10. Number of vessels totally lost, 7 ships, amongst which one with the whole crew.

Since the whole period of the erection of the Company we can only state that since 1824 (year of the establishment) till last December, 1888, 3,193 persons were saved.

Hoping to have complied with your wishes as far as possible, we have, &c.

(The Direction of the North and South Holland Life-Saving Company),

(Signed) A. J. VAN VOLLENHOVEN, *Secretary.*

Amsterdam, September 30, 1889.

SECOND LIST.

	Stations.		
1.	Loosduinen	Life-boat.	Rocket apparatus.
2.	Scheveningen	„	„
3.	Fatwijk a-zee	„	„
4.	Noordwijk a-zee	„	„
5.	Zandvoort	„	„
6*a*.	Yumiden (North)	„	„
6*b*.	Yumiden (South)	„	„
7.	Wijk a-zee	„	„
8.	Egmond a-zee	„	„
9.	Petten	„	„
10.	Callanssoog	„	„
11.	Huisduinen	...	„
12.	Helderschen Zeedijk	Life-boat.	...
13.	Nieuwediep	„	...
14.	Tekel—Koog	„	Rocket apparatus.
15.	Tekel—Hocksdorp	„	...
16.	Tekel—Hoorn	„	...
17.	Terschelling—Oostereind	„	Rocket apparatus.
18.	Terschelling—Midsland	„	...
19.	Terschelling—West	„	...
20.	Ameland (Nes)...	„	...
21.	Ameland—Hollum	„	...
22.	Schiermounikoog	„	...
23.	Modderyat	„	...
24.	Flieland—Posthuis ... ... / Flieland—Dorp	3 life-boats.	Rocket apparatus.

ITALY.

The principal life-saving institution is the "Società Italiana per provvedere al Soccorso dei Naufraghi," which has its head-quarters at Rome. The Society has under its control 10 stations, 8 of which are life-boat stations, 2 rocket stations.

There are besides a number of local Societies for giving aid to shipwrecked people or for resuscitating the apparently drowned. Such are the "Società Ligure de Salvamento," which has 16 huts of refuge; the "Società Livornese di Soccorso degli Asfittici," at Leghorn, and the "Società Veneziana di Soccorso degli Asfittici," at Venice.

RUSSIA.

Society established under the Supreme Patronage of Her Majesty the Empress, for Saving Life on Waters.

(Translation.)

(No. 783.) *St. Petersburgh, Ministry of Ways Buildings, Office of the Secretary, September* 9, 1889.

Sir,

In a communication addressed on the 3rd August last to the Secretary of this Society, M. N. O. Mikhnievich, you request certain information concerning the organization and functions of the Society.

In the absence of M. Mikhnievich, I have the honour to submit the following:—

1. The object of the Society is to give assistance to all persons in distress on the seas, lakes, and rivers within the boundaries of Russia.

2. The Society is composed of honorary members (by election); actual members, who contributed not less than 100 roubles in a single payment, or who contribute annually not less than 5 roubles, and co-operating members, who contribute not less than 1 dollar each year. The business of the Society is managed by a Principal Board, located at St. Petersburgh; forty-six District Boards, located in the principal cities of Russia, and a number of Local Boards established in various towns and villages. The organization and duties of these institutions are specified in sections 14 to 25 of the Constitution of the Society, a copy of which is inclosed herewith.

3. The Society is supported mainly by private contributions, but it also receives from the State

Treasury an annual subsidy of 25,000 roubles, in addition to various supplies not infrequently furnished to the life saving stations, without charge, from Government stores.

4. The Society has 2 cruizer stations, 10 rocket stations, 49 boat stations on seas, 41 boat stations on lakes and rivers, 73 winter stations, 72 sub-stations, 6 light-houses, 60 refuges, and 657 posts.

The location of each of these establishments, and a detailed statement of the boats and appliances possessed by each, will be found in the list, hereto annexed, of all the life-saving establishments of the Society up to the 1st January, 1889.

I am able to furnish statistical data only as to some of the particulars indicated in your letter, touching the operations of our live-saving establishments for the last year, viz.: The number of persons rescued during the year by the summer stations on seas was 159; by river and lake stations, summer, 48, winter, 76; by sub-stations, 20; by posts and refuges, 45; in all, 348 persons. The number of days of assistance afforded by sea stations proper was 25,038.

As regards the total number of diasters, persons imperilled, and lives and vessels lost, I have to state that the information received by the Principal Board is incomplete and fragmentary. As to the value of property involved, saved, and lost, no information reaches the board, inasmuch as the saving of property is not only outside of the proper duties of the life-saving establishments of the Society, but is expressly prohibited.

The total number of persons saved by the establishments of the Society during the period of its existence, up to the present year, was 6,378.

* * * * * *

Accept, &c.
(Signed) V. ROOTKOVSKI,
Assistant Secretary.

To the Superintendent of the
United States' Life-Saving Service.

(Translation.)

The organization of the crews of life-saving stations within the jurisdiction of the Society, and the system of compensation for the performance of the duties assigned to such crews, are subject to some variations according to local circumstances, and the degree of interest in the work of life-saving which may be awakened among the inhabitants of the various localities along the coasts and shores.

At all stations the keeper ("ataman") has full charge of the property, and full command over the crew, invariably recruited by himself. The keepers direct the use of the boats on all occasions, and take the helm or steering oar. As a general rule, the keepers, whether of boat stations or of rocket stations, call out the crews and direct all their movements at drills, inspections, firings of rockets, and life-saving operations.

Under the existing rules, the compensation of life-saving crews is determined by the District Boards. At present the keepers at most stations receive a salary at rates varying from 36 to 60 roubles per annum. Higher salaries are allowed to keepers of such stations only where the whole crews are salaried. In the Estland District, however, no fixed compensation is allowed either the keepers or the oarsmen, who do the work assigned them from an exalted sense of Christian duty. With very few exceptions, the stations in that district are well kept and work quite satisfactorily; still, even in that district two or three crews are found that perform their duties with indifference, if without protest—a fact which shows the impossibility of relying in all cases solely upon appeals based upon the exalted nature of the work of saving the life of fellow-men, and seems to prove the necessity of securing a definite pecuniary compensation, both to the keepers for their continuous labour and care, and to the oarsmen when on duty.

The most effective system of compensation is that adopted in the Liefland District. There the keepers are allowed from 36 roubles (winter stations) to 60 roubles (seaboard stations) per annum. For every drill or inspection, the oarsmen, the keeper, and the assistant keeper receive 2 roubles each, and for every rescuing expedition 5 roubles each, and in addition thereto a premium of 10 roubles, to be equally divided among them all, for every person saved. Since the first organization of this Society the stations of the Liefland District have always worked quite successfully, and have been kept in exemplary order.

In the Courland District a similar scheme of compensation has been adopted for boat stations, while at the rocket stations, the crews of which are fixed at four oarsmen and one keeper, a premium of 10 roubles, to be divided between them, is allowed for each working of the apparatus, whether on drill, inspection, or rescuing service. In cases of especially successful life-saving performances, the amount of the premium may be increased by the District Board, or a recommendation be made to the Central Board for special reward. In this district the stations are kept in good order, improving from year to year, and operate quite satisfactorily.

In most of the districts along the coasts of the White, Black, and Azov Seas, and also along the shores of the great lakes, the rates of compensation of the crews are not definitely settled, and even in those localities where compensation has been fixed the amounts allowed are wholly insufficient: thus, for drills each man is allowed from 30 to 50 copecks, and in no case more than 80 copecks, and for life-saving expeditions not more than 2 roubles, without any premium for lives saved. While the men at these stations not unfrequently display heroic zeal, they sometimes fall short of the mark.

At the Ansheron Station on the Caspian Sea (originally established by the Local Board of Baku, under the supervision of the Caucasus District Board, but at present wholly within the jurisdiction of the Baku District Board), a station situated in a locality destitute of population, where it was found necessary to build a house for the crew and to keep a horse for the hauling of fresh water, fire-wood,

and provisions, the keeper and his six oarsmen receive a salary all the year round; the keeper about 25 roubles, and the men about 15 roubles per month each. The keeping of this station costs to the Society about 2,500 roubles a-year. Its life-saving exploits often deserve high commendation.

The Poti Station, which also belonged until last year to the jurisdiction of the Caucasus District Board, was managed upon nearly the same plan as the Ansheron Station. The keeper and the oarsmen recived fixed monthly salaries all the year round. The cost was about 2,000 roubles a-year. No satisfactory account can be given of the workings of this station. In regard to its present organization under the management of the Kutais District Board, no Reports have as yet been received by the Central Board.

From the above data, and an examination of the Reports of the District and Local Boards, as well as from information furnished by the corps of Inspectors, the following general conclusions may safely be drawn: that the character of the men employed at the life-saving stations must be recognized as the principal factor in the problem of bringing such establishments into a state of due efficiency, and that fixed compensation in amounts corresponding with the labour and risk involved must be acknowledged as the best means of securing the right kind of men. It may be noticed, in this connection, that the risk incurred by the life-saving crews is, in a certain degree, lightened by the provisions of the existing regulations for mutual insurance. Unfortunately some of the District Boards fail to forward to the Central Board the requisite assessments or insurance premiums, and, as a consequence, the chief officers of the Service find it possible in only very few cases to call to the attention of the crews the existence of a right to insurance. This uncertainty cannot fail to detract in some measure from the efficiency of the Service.

(Signed) N. SOUSLOV, *Central B. Inspector.*

SPANISH SOCIETY FOR THE SAVING OF THE SHIPWRECKED.

Sir, *Madrid, October* 3, 1889.

I have received your letter dated the 2nd August, and I have the honour to send you the information that this Society can give in reference to maritime rescue in Spain. As the purpose of the Institution is only to save life, it does not collect statistics of the value of the cargoes of the vessels, either lost or saved, and though we have tried to obtain such data, we have been prevented by the fact that no statistics exists in the Ministry of the Navy, to whom the captains of vessels transmit the information of the disasters.

* * * * * *

I am, &c.
The President, Vice-Admiral,
(Signed) FRANCISCO DE PAULA PAVIA.

S. I. Kimball, Esq., General Superintendent,
Life-Saving Service, Washington.

The "Spanish Society for Saving the Shipwrecked," founded in 1880.

(Translation.)

1. In Spain the life-saving service is composed of the "Spanish Society for Saving the Shipwrecked," whose Superior Council and Central Board reside in Madrid, and the "Guipuzcoa Maritime Life-Saving Society," which has its Chief Bureau in San Sebastian. The latter Society was merged into the Spanish Society in December 1880.

2. The organization of the Society is described in detail in chapter second of the Statutes approved in general session July 12, 1885. The Superior Council is constituted as follows:—

Honorary Presidents: Hon. Ministers of the Navy, of Public Works, War, and the Treasury, and the Hon. Admiral of the Navy.

The Active President: His Excellency Señor Don Francisco de P. Pavia, Vice-Admiral and Senator.

Honorary Vice-Presidents: Matritense, President of the Economical Society, and his Excellency Señor Don Juan Romero y Moreno, Rear-Admiral.

Active Vice-Presidents: His Excellency Señor Don Eduardo Saavedra, Engineer and Academician; his Excellency Señor Don Hilario de Nava, Inspector-General of Naval Engineering and Deputy to the Cortes; his Excellency Señor Don Francisco Coello, Colonel of Engineers and Academician; his Excellency the Duke of Victoria, Senator and Director of Railroads in the South.

* * * * * *

The duties recommended to the Central and to the Local Boards are defined in the respective Regulations.

3. The Society is founded on national charity, and being declared by law, on the 12th January, 1887, to be of public utility, the Government granted it a subsidy of 8,000 dollars for the maintenance and preservation of the material which by the said Law was given into its charge. On October 1888, on account of economy in all public expenses, the subsidy was reduced to 7,200 dollars per annum.

4. The Society has the following stations:—

Supplied with life-boats and apparatus for throwing ropes: Guipuzcoa, two boats and four apparatus for throwing ropes; Portugalete, one boat and one apparatus for throwing ropes; Barcelona, idem, idem; Cadiz, idem, idem; Vinaros, life-boat, —, and apparatus for throwing ropes; Torrevieja, boat and apparatus for throwing ropes; Algeciras, idem, idem; Laredo, life-boat and apparatus for throwing ropes; San Lúcar de Barranceda, boat and apparatus for throwing ropes; Arecibo, idem, idem; San

Juan de Puerto Rico, idem, idem; Palamós, idem, idem; Tarragona, boat, life-boat, and apparatus for throwing ropes; Denia, boat and apparatus for throwing ropes; Gijón, idem, idem; that is to say, a total of fifteen stations with boats and rope-throwing apparatus.

Supplied with one boat: Station at Cape Palos; station at Correpedo, Rosas, Villannera, and Settin, Puerto de la Selva, Cadaqués Ybiro-Ria del Barquero, Candás, one life-boat. Serilla, idem. Pending an application, two boats. Total, 12.

Supplied only with apparatus for throwing ropes: Santander, two apparatus; Rivadeo, one; Blanes, one; Tarifa, one; Cartagena, one; Rivadesella, one; Palma de Mallorca, two; Alardia, one; Felanitz, one; Sollar, one, Torredembarra, one; Cambrils, one; Ceuta, one; San Felix de Guixols, one; Coruña, two; Corcubión, one; Garrucha, one; Llanes, one; La Escala, one. Total 22.

There are, besides, an unlimited number of guns, large Torres life-buoys, ropes, cables, Legrand hooks and life-preservers, at the stations of Ferrol, Huelva, Puerto de Santa Maria, Santurce, Toledo, Viga, and at the light-houses of Estaca de Vares, Islands of Lisaigas, Finisterre, Alboran, Columbretes, and Buda Island.

Statement of Services rendered by the Stations during the year 1888.

The subject of questions 1 and 5 of this part of the interrogatory do not relate to the Society, whose only object is to save lives, and the data comprehended by them do not exist at the Ministry of the Navy, which keeps no record of them.

Number of persons saved by the Society directly, 187.
Saved by the apparatus of the Society, 173.
Number of persons who perished of those rescued by the Society, 0.
Number who perished of those not rescued by the Society, 28.
Number of shipwrecked rescued at the stations, 187.
Number of days they were succoured, 11.
Number of vessels totally lost not known, but about 70 per cent. usually.

Services rendered by the Stations since the Creation of the Society.

Number of persons directly saved by the Society, 571.
Saved without the apparatus of the Society, 841.
Number of persons who perished of those aided by the Society, 0.
Number who perished not rescued by the Society, 148.
Number of wrecked persons aided at the stations, 571.
Number of days in which aid was given, 57.
And 25 nights in which shipwrecks took place.

The President, Rear-Admiral,
(Signed) FRANCISCO DE PAULA PAVIA.

Madrid, October 5, 1889.

UNITED STATES.

Besides the Service maintained by the Government, an account of which will be found in Appendix (E), there is the Massachusetts Humane Society, supported by voluntary contributions. This Society was founded in 1786, and has 78 stations on the coast and rivers of Massachusetts, besides some 20 stations at which minor apparatus, such as life-buoys, bladders, and lines, are kept. During the last year they saved 123 lives and assisted 5 vessels, besides giving 111 rewards and 26 certificates for brave service.

Inclosure 11 in No. 143.

INTERNATIONAL MARINE CONFERENCE.

Report of the Committee upon the Subject of a Uniform Load-Mark.

(General Division III of the Programme.)

Members of the Committee:

Brazil..	Captain LUIZ DE SALDANHA.
Chile	Lieutenant BEAUGENCY.
China..	Lieutenant CHIA NI HSI.
France	Captain RICHARD.
Germany	Dr. SIEVEKING.
Great Britain	Mr. GRAY.
Italy	Captain SETTEMBRINI.
The Netherlands	Captain HUBERT.
United States	Mr. GRISCOM.

Sir, *Washington, D.C., November* 26, 1889.

YOUR Committee, having been appointed to report on the subject of a uniform load-mark, have first of all endeavoured to obtain as much information as could be collected on this very important question.

The British law, as laid down in "The Merchant Shipping Act, 1876" (39 & 40 Vict., cap. 80), gives certain powers to the Board of Trade to detain British and foreign vessels which, by reason of overloading or improper loading, are unfit to proceed to sea without serious danger to human life. These powers may be put into force against foreign ships when they have taken on board all or any part of their cargo at a port in the United Kingdom, and are, whilst at that port, unsafe by reason of overloading or improper loading.

With the intention of carrying out this law in a way consistent with the interests of the mercantile community on the one side, and with the regard due to protection of life and property on the other side, certain general Rules, after careful investigations instituted by a Load-line Committee appointed by the President of the Board of Trade, as well as by the Board of Trade, have been framed with the purpose of ascertaining whether a ship be overloaded or not. These Rules assign to ships a freeboard which, according to the experience collected on the subject, is considered sufficient to prevent dangerous overloading without unduly interfering with trade, and they contain Tables assigning such freeboard as is suitable for vessels of the highest class in Lloyd's Register or of strength equivalent thereto, and which is to be increased for ships of inferior strength.

The above-mentioned Rules have proved to be a good standard upon which to determine the proper loading of British vessels which are classed in Lloyd's Register, or for other vessels the particulars of whose strength and fitness to carry any particular cargo can easily be ascertained by the Surveyors of the Board of Trade.

As regards foreign ships, however, which are loading in the United Kingdom, and which are either not classed in Lloyd's Register, or the particulars of which cannot be ascertained without a minute examination, the difficulty exists that the law which intends to guard against the dangers arising from overloading cannot be enforced without serious disadvantages to the owners of ships and cargoes consequent upon the difficulty of ascertaining whether the ships are fit to carry the cargo in question.

For these reasons it appears to be obvious that it would be very desirable if means could be found to ascertain, in a simple and easy way and without loss of time, the fitness of any vessel loading in a port of the United Kingdom to load a particular cargo.

These remarks naturally apply also to vessels loading elsewhere, because it is a very high and important interest, common to all nations, to take every possible measure for the protection of life and property against the dangers arising from overloading.

For these reasons it appears to deserve very serious attention whether, by providing for a certain load-line to be marked on sea-going ships, a trustworthy and simple method could be arrived at for deciding whether a loading vessel should be detained for overloading or ought to be allowed to go to sea.

The British Government has recently invited the attention of other Governments to

this question. But inasmuch as up to the present no progress has been made in this matter, the question arises whether something could be done to expedite an understanding by any action on the part of the Conference now here assembled.

Now, as far as your Committee have been able to ascertain, the laws of many maritime nations contain provisos for dealing with the question of overloading, and enabling the local authorities to detain overladen ships. But nowhere, except in Great Britain, as far as is known, have statutory Rules been introduced for the purpose of ascertaining whether a ship be fit to carry a certain cargo by a load-mark or load-line.

In order to arrive at such laws and to enforce them it would appear to be necessary to induce the Governments of the maritime nations not only to institute investigations similar to those made in Great Britain above referred to, but also to establish a sufficient staff of competent officials to insure the universal compliance with the laws to be given, and to establish Courts of Appeal authorized to decide on complaints against unjust detention and to award damages to the ship-owners and shippers of cargo in case of an unjustifiable detention.

It appears to your Committee that this would be surrounded with very serious difficulties, as it depends upon the varying conditions of each country whether the Governments would think it advisable to take steps in this direction or not. It must be kept in mind that a great display of scientific labour, and moreover a heavy expenditure of money, would be necessary to introduce a system similar to that which is used in Great Britain. Besides, it could be questioned whether it be necessary to make a law on load-lines or load-marks in order to guard against the danger of overloading, because it might be said that sufficient safeguards are given by the responsibility of the ship-owners towards the shippers of the cargo, and to their insurers, and by the control exercised by the underwriters and the various institutions for classing ships. There may also be circumstances peculiar to certain countries, as, for example, the fact that the goods which they export, generally, are light goods only, which do not endanger the stability of a ship, which may operate in favour of non-interference on behalf of the respective Governments.

Your Committee is led to believe that on these grounds, notwithstanding the advantages which would be connected with the introduction of a uniform system of load-marks, this matter is not ripe for consideration by this Conference, and that it ought to be left to the negotiations to be carried on between the Governments of the maritime nations.

We beg to remark, in concluding, that this Report has been sanctioned by the undersigned members of your Committee unanimously, and that Mr. Thomas Gray, who has been prevented from reading and signing it by the necessity of his departure, has, nevertheless, expressed his concurrence with its general views. The Delegate from Brazil has been prevented from attending the Committee by the political events which have led to his withdrawal from the Conference.

(Signed) SIEVEKING, *Chairman of Committee.*
R. BEAUGENCY.
CHIA NI HSI.
E. RICHARD.
R. SETTEMBRINI.
D. HUBERT.
C. GRISCOM.

To Rear-Admiral S. R. Franklin,
President of the International Marine Conference, &c.

Inclosure 12 in No. 143.

INTERNATIONAL MARINE CONFERENCE.

Report of the Committee upon General Divisions II, IV, and VI of the Programme.

Members of Committee:

Brazil	.. ..	Captain L. SALDANHA DA GAMA.
China	.. ..	Commander CHEN NGEN TAO.
Costa Rica	.. ..	Don MANUEL ARAGON.
France	.. ..	Captain LANNÉLUC.
Germany	.. ..	Captain DONNER.
Great Britain	.. ..	Mr. WIMSHURST.
Italy	.. ..	Captain SETTEMBRINI.
Norway	.. ..	Captain SALVESEN.
United States	.. ..	Captain SAMPSON.

Sir, *Washington, D.C., December* 5, 1889.

THE Committee appointed to examine and report upon the subjects contained in General Divisions II, IV, and VI of the programme proposed by the United States Delegates, beg to submit the following Report:—

GENERAL DIVISION II.

Regulations to determine the Seaworthiness of Vessels.

(*a.*) Construction of vessels.
(*b.*) Equipment of vessels.
(*c.*) Discipline of crew.
(*d.*) Sufficiency of crew.
(*e.*) Inspection of vessels.
(*f.*) Uniform certificates of inspection.

1. It is the opinion of the Committee that, upon the subjects contained in the sections of this Division, no International Rule could be made which would secure beneficial results. It is thought that the Conference would be limited in each case to a recommendation fixing a minimum for the objects which it is desired to secure under each of these sections. If such a minimum were made the legal requirement, it would have an injurious effect upon the present standard of efficiency in many countries.

2. In other countries where such efficiency does not exist, it is thought that it will be best secured by the same means which have secured it elsewhere, leaving each nation to modify such means in ways which will best adapt them to the particular methods of the respective Governments.

3. Again, it is found that the present Rules existing in different countries upon several of these questions are different in many respects, though probably equally efficient. It would, therefore, become necessary, in forming an International Rule in such cases, to recommend changes in the existing Rules of several countries which to some of them might be unpractical. This is thought to be undesirable. However, the Committee earnestly recommend that—

4. All vessels, whether propelled by steam or sail, should possess a margin of strength over and above that which is required to enable them to perform the work for which they were designed and built. A chain, a bridge, or any other structure, the failure of which would entail the loss of human life, invariably has a considerable reserve of strength provided—in other words, the admitted working load is always much less than the computed strength, or the strength ascertained by actual test; certainly it is no less important that the hull of a vessel should contain a similar reserve.

5. To attempt to formulate rules for the construction of vessels of all sizes and for all trades would far exceed the province of this Committee, and besides, any arbitrary rules would probably much hamper the advance in design and the method of construction.

6. Therefore, to obtain as much as seems to be practicable in this direction, it is

desirable to rely upon efficient and oft-repeated inspection, when upon the least indication of distress, or of rupture showing, very substantial additions should be made before the vessel is allowed to again proceed to sea.

7. Ocean-going steam-vessels which carry passengers should be additionally protected by having efficient bulkheads, so spaced that when any two compartments be filled with water, the vessel will still remain in a seaworthy condition, and two at least of the amidships bulkheads should be tested by water-pressure to the height of the deck next above the water-line.

General Division IV.

Uniform Regulations regarding the Designating and Marking of Vessels.

(*a.*) Position of name on vessels.
(*b.*) Position of name of port of registry on vessels.
(*c.*) Size of lettering.
(*d.*) Uniform system of draught marks.

1. The name of every registered merchant-vessel shall be marked upon each bow and upon the stern, and the port of registry of every such vessel shall be marked upon the stern.

These names shall be marked in Roman letters in a light colour on a dark ground, or in a dark colour on a light ground, and to be distinctly visible.

The smallest letters used shall not be less than 4 inches high.

2. The draught of every registered vessel shall be marked upon the stem and stern-post in English feet or decimetres, in either Arabic or Roman numerals. The bottom of each numeral shall indicate the draught to that line.

General Division VI.

Necessary Qualifications for Officers and Seamen, including Tests for Sight and Colour-Blindness.

(*a.*) A uniform system of examination for the different grades.
(*b.*) Uniform tests for visual power and colour-blindness.
(*c.*) General knowledge of methods employed at life-saving stations.
(*d.*) Uniform certificates of qualification.

1. Every man or boy going to sea as a seaman, or with the intention of becoming a seaman, should be examined for visual power and colour-blindness; and no man or boy should be permitted to serve on board any vessel in the capacity of seaman, or where he will have to stand look-out, whose visual power is below one-half normal or who is red or green colour-blind.

2. Every man who shall qualify as an officer of a registered vessel after the adoption of these Rules, except engineer officers, shall be required to have a certificate that he has the necessary visual power, and that he is not red and green blind. He shall also have a certificate that he is familiar with the Regulations for Preventing Collisions at Sea, and with the duties required of him in co-operating with a life-saving station in case his vessel is stranded.

It is recommended that each country provide means which will enable any boy or man intending to go to sea to have his eyes examined for visual power and colour-blindness, and to obtain a certificate of the result, also to enable the master of any vessel to have the eyes of any of his crew tested for the same purpose.

It is the opinion of the Committee that defective visual power and colour-blindness are sources of danger at sea. The first both by day and night, because of the inability of the short-sighted to see objects at a sufficient distance. Colour-blindness is a source of danger, more especially at night, because of the inability of a colour-blind person to distinguish between the red and green side-lights. The inability on the part of an officer or look-out to distinguish the colour of buoys may be a cause of accident in broad daylight.

It is the opinion of the Committee, however, that tests for these defects need not be enforced in the cases of masters and mates who already occupy such positions.

The Committee purposely avoids making any recommendation as to the methods to be used in making such tests for visual power and colour-blindness, or in conducting

the necessary examinations for officers. It is thought that the desired objects will be best secured by leaving each country to employ the methods which may seem most suitable.

(Signed) CHEN NGEN TAO.
MAN'L. ARAGON.
CHR. DONNER.
JAMES WIMSHURST.
H. SETTEMBRINI.
W. T. SAMPSON, *Chairman.*
Capt. H. LANNÉLUC.
Capt. L. SALDANHA DA GAMA.
T. SALVESEN.

To Rear-Admiral Samuel R. Franklin, United States' Navy,
President, International Marine Conference, Washington, D.C.

Inclosure 13 in No. 143.

Report of Committee No. 2 on Lanes for Steamers on Frequented Routes.

(General Division VII.)

Members of the Committee:

Denmark	M. GARDE.
France	Captain LANNÉLUC.
Germany	Captain DONNER.
Great Britain	Admiral BOWDEN-SMITH.
Hawaii	Mr. H. A. P. CARTER.
Portugal	M. SOUZA ROZA.
Sweden	Captain MALMBERG.
The Netherlands	Captain HUBERT.
United States	Captain SHACKFORD.

Sir, *Washington, December* 6, 1889.

COMMITTEE No. 2 beg leave to report on General Divison VII, entitled, "Lanes for Steamers on Frequented Routes," that after consideration of various routes they concluded to report only upon the North Atlantic route between ports of North America and ports of Northern Europe as the route upon which there was apparently the greater demand for such lanes, if such could be advantageously laid down on any ocean or sea.

It appears that the adherence of fast steam passenger-vessels to certain southerly routes would tend to the avoidance of fog and ice, and the Committee adopted a Resolution to the effect that it was desirable during the spring and summer months that such vessels should follow a southern route which would clear the Banks of Newfoundland, and be likely to be clear of fog and ice, but when it came to proposing any plan to make such ocean lanes compulsory, the Committee found the subject one of such difficulty that they do not recommend a proposition of that nature.

The difficulty of enforcing the present rule providing for moderate speed in thick weather suggests what greater dificulties would be met with in enforcing lane routes if made compulsory, and it was not thought desirable to lay down routes by international agreement unless they were to be made compulsory by swift steamers.

Routes that might be proposed would be in danger of invasion by ice during the spring and summer months, and at all times would be crossed by sailing-vessels and steamers going north and south. If laid down on parallels of latitude which seemed to favour one seaport at the expense of another, or the ports of one country at the expense of the ports of another country, they would arouse opposition that would probably prevent their adoption.

It is possible that even in the near future vessels may be employed of such power and speed that all such considerations may have to give way to the paramount consideration of safety, but, so far as shown to the Committee, present conditions do not seem to justify an international agreement to that effect. It was not shown to the Committee that collisions

in mid-ocean between fast ocean steamers had taken place or that the danger was great enough to justify enforced adherence to certain lanes. Collisions between fast steam-ships, so far, have occurred nearer the coasts where all tracks must converge.

The Committee believe, however, that the voluntary establishment of, and adherence to, particular routes by the different Steam-ship Companies, for different seasons of the year, is very desirable. In fact, the Committee are of opinion that such action by the Steam-ship Companies, with the experience to be gained thereby, would be quite essential before any concerted action by the Maritime Powers could be profitably taken.

The Committee therefore strongly recommend that the Companies interested should, by mutual agreement, after consultation together, establish routes for the different lines, and make them public, in order that the Hydrographic Offices of the various Governments may publish them for the information of navigators.

The Committee have considered the opinions of several persons in the printed matter that has been laid before them. With the exception of one or two definite propositions, the literature before the Conference does not show how such lane routes could be laid down. Even those containing such propositions arrive at the conclusion that such routes could not be made compulsory. In Appendix (A) will be found extracts or copies of the papers laid before them.

Sub-section (*b*).: With regard to the safety of fisherman upon the North Atlantic Ocean, the Committee are of opinion that their safety would be best promoted by unceasing vigilance on the part of the fishermen, and by careful compliance by all with the present Rules for the Prevention of Collisions, especially as to the efficiency of lights and sound-signals. If lanes were established which carried the fast steamers clear of the Banks frequented by the fishermen it might promote such a sense of security on their part as would tend to carelessness with reference to the rules as at present laid down, and lead to danger from the slower vessels which would still frequent the Banks.

During the months when the fishing-vessels most frequent the Banks, the fear of encountering fog and ice leads many of the steamers to go south of them.

Quick passages are what the steam-vessels aim at in response to the public demand for swift passenger and mail service, and if they were compelled to obey existing Rules regarding moderate speed in fogs at all times and in all places they would avoid the Banks still more in order to go clear of fogs; and thus it seems that the solution of the problem before the Committee, namely, of how to induce steam-ships of great speed to take safer routes to avoid fogs, ice, and danger of collision with fishermen and other vessels, is in compelling obedience to the present Rules regarding moderate speed in thick weather. The enforcement of these Rules would make it for the interest of such vessels to take routes comparatively clear of fogs and ice, and thus attain the end which compulsory legislation might fail to do.

In Appendix (B) will be found some correspondence regarding the dangers of fishermen upon the Banks, from which it will be observed that vigilance regarding lights and sound-signals have been found efficient safeguards in most instances.

(Signed) AUG. GARDE, *Delegate for Denmark.*
HENRI LANNÉLUC, *Delegate for France.*
CHRISTIAN DONNER, *Delegate for Germany.*
N. BOWDEN-SMITH, *Delegate for Great Britain.*
H. A. P. CARTER, *Chairman of Committee, Delegate for Hawaii.*
T. DE SOUZA ROZA, *Delegate for Portugal.*
FREDERICK MALMBERG, *Delegate for Sweden.*
D. HUBERT, *Delegate for the Netherlands.*
JOHN W. SHACKFORD, *Delegate for the United States.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Appendix (A)

Report of Committee No. 2 on Lanes for Steamers on Frequented Routes.

(General Division VII.)

Extract from Letter written by C. A. Griscom, President of International Navigation Company, November 21, 1889.

THERE can be no doubt that the risk of collision is the principal danger to be apprehended in the navigation of modern steam-ships, and no one thing will contribute more to lessen this risk than the establishment of lane routes in the now already crowded North Atlantic.

My own view is that the lanes we have adopted are the most prudent, viz., to keep south of 42 when crossing the meridian of 50, from the 15th February to the 15th August, and a safe distance south of the Virgins the rest of the year, separating east-bound and west-bound tracks at the meridian of 50° about 1°.

While we pursue this practice with the steamers under our management—some twenty-six—the good effect thereof is, of course, almost negative so far as the lane feature is concerned, because the practice is not general.

Extract from Letter written by W. Bussius, North German Lloyd's Steam-ship "Werra," April 13, 1889.

I would say that in the vicinity of Long Island, Nantucket, and St George's shoal-grounds, I think it absolutely necessary to establish lanes for steam-ships apart. This can be done very easily, even if astronomic observations are not at hand and the position of a ship doubtful.

A westward-bound ship to keep north; that means on 40 to 35 or 30 fathoms of water by soundings, when thick weather prevails. Here the ship will find pilots, as their position is in this line.

An eastward-bound ship ought to steer from Sandy Hook east by south one quarter south to the 90-fathom soundings, then east on deep soundings. This will cause steamers to go safely almost 50° west, if the eastward-bound steamers keep warm water during summer, or say, in latitude 41°. I have proved it dozens of times, that in summer a distance of 80 to 90 miles is gained eastward by the Gulf Stream between Sandy Hook and Scilly, if I kept well to the southward. I shall not fail to run these southern routes this summer.

Extract from Letter written by Arthur W. Lewis, Master, Steam-ship "City of New York," 1889.

With regard to perfect safety, lane routes, especially on the Atlantic, are greatly to be desired.

During the ice season on the Atlantic, ships bound east ought to make the lane routes in the great circle that crosses latitude 40° N., longitude 50° W.; those coming west, latitude 41° and 50° W.

Northern routes about 40 miles south of Virgins, bound west, to latitude 43° and longitude 50° bound east.

Fishermen on the Grand Banks, as well as in other portions of the globe, ought to have defined grounds to operate in and out of them, and to be there at their own risk.

Extract from Letter written by Captain Horatio McKay, of the Cunard Steam-ship "Aurania," March 1889.

In regard to my opinions about ocean tracks, lengthened experience only serves to emphasize present views, . . . namely, definite easterly and westerly tracks more or less south of the Banks. I am still strongly impressed with these conclusions, notwithstanding the steady adherence to the northerly route by the great majority of steam-ship lines.

Proposal as to Lanes for Steamers.

It can hardly be doubted that lanes or tracks for coming and going steam-ships would in a great measure tend to increase the safety of navigation, and that such tracks might be laid down, not only on the large oceans but also on many of the local waters, in this case considering the North Sea, the Baltic, the English Channel, &c., as local waters. The advantage derived from such tracks would not only consist in the fact that steamers would avoid, to a certain extent, the danger of meeting other steamers end on, but also that the Chart would give warning to the navigator whenever another track was crossing his, as well as that it might be expected that sailing-vessels would do their best to keep out of these tracks, especially in the night-time. Nevertheless, whenever a discussion upon the subject has taken place, it has always been argued that, taking in consideration the difference in tonnage, speed, load-line, &c., of screw-steamers—in fact, the difference as to the sea-going qualities between different ships, it would hardly be fair to force all steam-ships, under all circumstances, to follow a prescribed track from which they were not permitted to deviate.

Admitting, however, that it would be unfair to lay down compulsory tracks for steam-ships, would it not tend to the safety of navigation if tracks were laid down on all Charts? If such tracks, marked, "Non-compulsory tracks for screw-steamers," their position being, of course, decided by the various Maritime Powers, were laid down on all Charts, it can hardly be doubted that the steam-ships, if possible, would follow them voluntarily, and that the sailing-vessels would do their best to keep out of them. The black line in the Chart would of itself be a warning to the mariner every time he looked at it.

My proposal would therefore be that such non-compulsory tracks for screw-steamers should be laid down on all Charts, whenever it was found possible to do so, while, as a matter of course, I shall not offer any opinion about the way in which the work should be divided between the different seafaring nations.

(Signed) JACOB HOLM, *Master Mariner.*

Copenhagen, September 9, 1889.

Ocean Lane Routes.

Sir, 10, *Water Street, Liverpool, November* 12, 1889.

We beg to hand you annexed copy of a letter addressed by our senior, under date 1st January, 1876, to the Secretary of the North Atlantic Steam Traffic Conference here, relative to the adoption of the lane routes advocated by Lieutenant Maury, U.S.N. (*vide* inclosed Track Chart).

At the time this letter was written a way could not be found to secure unanimity among the various lines interested, and there has continued up to the present time considerable divergence of practice in regard to the tracks followed by the steamers employed in this much-frequented ocean highway, which neutralizes in a great measure the advantages, in point of safety, that may be derived from the adoption of well-defined routes by certain lines.

We have been disappointed not to see any reference to this subject in the cable reports of the proceedings of the Conference, and should be sorry if the sittings were to close without so important a question being included in the deliberations, especially as Lieutenant Maury's proposals offer so simple and efficacious a remedy.

We sincerely trust that the Conference may have seen their way to deal with this long-standing difficulty, and that Regulations may be adopted which may tend still further to promote the safe navigation of the North Atlantic.

We remain, &c.
(Signed) ISMAY, IMRIE, AND Co.

Lane Routes.

Dear Sir, *White Star Line, Liverpool, January* 1, 1876.

Referring to the failure to agree upon an International Rule obliging all steamers passing between Europe and North America to follow fixed lane routes (which, personally, I much regretted at the time), and having since given a good deal of consideration to the matter during four Transatlantic passages, made within the past eighteen months, I have determined, as far as practicable, with the Company's steamers, to follow Maury's steam lanes, and would suggest that a Conference be called, to consist of a nautical and lay representative from such of the European lines as may respond to an invitation to be issued by the North Atlantic Steam Traffic Conference, and that a Committee thereof make a Joint Report, to be unanimously adopted, the responsibility of non-agreement to rest with those who do not accept the Committee's recommendation.

These lanes, if generally adopted, would, I think, materially lessen the risks of collision and ice.

Pending the discussion of this subject on the part of the Conference, the commanders of the White Star steamers are instructed to follow the routes named.

I am, &c.
(Signed) THOMAS H. ISMAY.

Gray Hill, Esq., Secretary,
North Atlantic Steam Traffic Conference.

Report of Ensign George P. Blow, in charge of Branch Hydrographic Office, New York City, on General Division VII.

There can be no doubt as to the great desirability of establishing a system of ocean lanes for vessels navigating much-frequented routes. While such lanes can obviously be followed only by steamers, their importance is probably much greater to vessels depending upon sail alone. By adopting such a system of well-defined routes, the steam tonnage of all nations will concentrate at certain points, leaving the rest of the ocean free to sailing-vessels, thus greatly diminishing the risk of collision. The captain of a vessel disabled or in need of provisions or water would then know at once where to go to get assistance, and would shape his course accordingly. Fishermen would carry on their hazardous occupation without the constant fear of being run down by one of the great ocean racers, and pilot-boats could

cruize across the track of incoming steamers with an absolute certainty of meeting them. It would be a comparatively easy matter to keep these lanes free from wrecks, derelicts, or other obstructions, and as all passengers are carried by steamers, the safety of life at sea would be much better protected than at present.

Speaking in general terms, therefore, the proposed ocean lanes should be as nearly as possible great circle courses, making a liberal allowance for all rocks, shoals, islands, and other natural obstructions. Care should also be taken to lay down these routes so as to avoid the ice and fog limits, and not to pass through the great fishing-grounds. The outward- and homeward-bound tracks should be about 1°, or 60 miles, apart, so as to avoid all possibility of vessels getting on the wrong lane. Where practicable, the lanes should be arranged so that all vessels follow the old rule of keeping to the right, and in passing keep each other on the port hand. This rule should apply also to inland waters and along the coast from headland to headland. Thus a vessel passing through Long Island Sound would keep to the southward when going east, and to the northward when coming west. Coasting-vessels leaving the land on the starboard side would keep as near inshore as the safety of navigation would allow, while those having the land on the port, or left side, would take a parallel course at least 5 miles further off shore, or as far out as the limit of visibility of the different lights would allow. Where these routes cross fishing-grounds frequented by a very large number of vessels, a détour should be made, if possible. These lanes should be mapped out by the nations whose shipping is most directly interested.

It is believed that the use of these ocean lanes cannot be made obligatory, and can only be recommended to navigators, as it would be impossible to enforce any law requiring vessels to use them.

With regard to the ocean lanes in the North Atlantic Ocean, the following is respectfully submitted.

The great dangers to be avoided are:—

1. Foggy weather and the consequent danger of shipwreck and collision.
2. Collision with icebergs.
3. Collision with derelicts.
4. Collision with fishermen.

In laying out the ocean lanes, therefore, it is necessary to carefully avoid passing through the portions of the ocean where these dangers are the greatest, and at the same time to utilize the force of the Gulf Stream where possible.

By plotting the southern limit of fogs and ice for each month of the year, it has been found that great circle-courses from Boston, New York, Delaware Bay, and the Chesapeake Bay to latitude 40° N., longitude 50° W., all pass clear of the fog limits for nearly the whole year and through the southern limits for the rest of the time. These courses also pass entirely clear of the fishing-grounds and ice limits, and may be considered as safe. Similarly, great circle-courses from latitude 40° N., longitude 50° W., to the Straits of Gibraltar, English Channel, &c., also pass clear of the fog limits. These courses are further to the southward than the dotted course laid down on the Chart, and which is the very shortest practicable route, but they have the great advantage of being in the full strength of the Gulf Stream, which more than makes up for the loss going east. The homeward-bound trip to the westward is more to the northward, so as to keep to the right and also to avoid the Gulf Stream. In this case, latitude 41° N., longitude 50° W., is taken as the point of concentration, as shown on the Chart. In certain seasons of the year vessels can go further north than this with safety, and will undoubtedly do so in spite of whatever ocean lanes may be selected. It is recommended, therefore, that the steamers bound east be required to go to the southward of the courses laid down, and that steamers bound to the westward shall be required to keep to the northward of the course shown on the Chart. It is thought that this will have the desired effect. The difference between the shortest course (dotted lines) and the course laid down is only about 180 miles. If steamers are required to go at the rate of half speed in fog, and this law is really enforced, as it should be, there will be no trouble in arranging the ocean lane system, for it will be both to the interest and comfort of the captain, the interest of the owners, and the comfort and safety of the passengers, to take the route laid down. This is the only way in which the ocean lane system can be enforced by enforcing the law limiting the speed of vessels in a fog.

The captains of all large steamers are both willing and anxious to keep clear of the fishermen, fog, and ice, but are required by the owners to make quick trips. To do so they must go to the northward on their trip west, and are compelled to take the risk of running at from 15 to 20 knots an hour through thick fog in order to save time.

Captain Kennedy, formerly in command of the Steam-ship "Germania."

Captain Kennedy strongly advocates the use of the ocean lanes, and suggests for vessels bound east that they should cross the meridian of 50° W., between 41° and 42°, while vessels bound to the westward should cross between 42° and 43°. This would not only tend to lessen the danger of collisions with other steamers, but it would enable the fishermen on the Banks to keep clear of the ocean routes in good weather, and all vessels, in case of being disabled, to know where to go for assistance. The case of the "Danmark" is a very good illustration of this point.

Sergeant Paul Daniels, United States' Signal Service.

To avoid collisions, it is suggested that steamers on frequented routes should be compelled to observe the following rules:—

Steamers going east should make their course on a parallel of latitude which would carry them a little more north or south of the course which the west-bound steamers would be likely to take; also the Transatlantic steamers should be required to keep at least 60 miles to the southward of the George's Banks, thereby keeping clear of fishermen.

D. A. Nash, Pilot Commissioner of New York.

Fixed routes or lanes for fast steamers, especially between Atlantic ports, are very desirable.

Report of D. T. Terrell, Ensign, United States' Navy (in charge of Branch Hydrographic Office, Portland, Oregon), concerning opinions of seafaring men whom he has interviewed.

All recognize the advisability of lanes of traffic in much-frequented seas, and especially recommend lanes across the Newfoundland Banks, and the prohibition of vessels crossing in any other track at night or during thick weather.

New York Branch Hydrographic Office.

Lanes for steamers on frequent routes, as England-New York.

(*a.*) Permanent lanes cannot be prescribed for the regular lines, as the conditions of ice are not alike every year. A general agreement, however, would be desirable, resulting in Rules requiring every steamer to follow a northerly course to New York, and a southerly course from New York, *i.e.*, of the 50° longitude (Newfoundland Banks), coming from Europe northerly and going to Europe southerly.

The total avoidance of the fishermen on the Banks is impossible.

Philadelphia Maritime Exchange.

Adopt lanes for steamers on frequented routes, which shall be 50 miles apart in mid-ocean, and which shall avoid known fishing-grounds, especially the Banks of Newfoundland.

Wm. C. Whittle, Captain, Bay Line Steamer "Georgia."

I believe that the establishment of "lanes" for steamers on frequented routes going in opposite directions would greatly promote safety of life and property. I question the feasibility of absolutely maintaining such "lanes," but in proportion, as the number of steamers meeting is decreased, the chances of collision would be lessened.

The navigators, however, should be warned not to presume upon the effort to establish these "lanes," or lulled into any feeling of security, or any lack of vigilance, upon the hypothesis that a lane system is maintained. They should be cautioned that, although a man may be in his "lane," if he meets a steamer he must not arrogate to himself any rights or privileges not given him by the "Rules of the Road."

General Information gained in Interviews with Masters of Vessels at the Branch Hydrographic Office, Boston.

In the matter of "lanes for steamers on frequented routes" there will undoubtedly be great opposition to any move in this direction. Most steamer captains are thoroughly convinced that the ocean belongs especially to them, and that they have a perfect right to go on it where they please. Notwithstanding the fact that a few hours at the most will cover the difference between the route passing clear of the Banks of Newfoundland to the southward and a more northerly route—crossing, say, about the middle of the Bank—with the additional advantage in favour of the former that there is very much less likelihood of encountering fog, many masters of steamers persist in following the route across the Banks, regardless of the lives of the fishermen who depend on these same Banks to furnish a living for themselves and families. I can see no reason why steamers should not be obliged to follow certain routes, differing for the different seasons of the year. It would frequently cause a slight lengthening of their voyages, but would very greatly increase the safety of ocean travel. In the summer, or ice season, the prescribed route should pass clear of the tail of the Banks to the southward. In the winter, or safe season, it should pass near Cape Race. If it is decided that steamers must cross the Banks, then a specified route across them should be prescribed, and fishermen should be required to keep clear of this track. In deciding this question, in reference to the Banks of Newfoundland and other similar localities, preference should undoubtedly be given to the rights of the fishermen. The only practicable solution of the question of lane routes with regard to the avoidance of collisions between steamers is by the separation of the eastern and western routes by a degree at least, but it is claimed by many masters of vessels that it would not work in practice. In thick or foggy weather, with no observations to verify the position, no vessel could be sure that she was in the right path.

During heavy weather vessels are likely to be driven out of their way. In various ways vessels are likely to find themselves not only out of their own track, but directly in the track of steamers going the opposite direction. On the other hand, in the case of steamers proceeding in the same direction, the difference in speed is often so great as to render a collision between them almost as serious as if they had met bows on. There is of course a possibility that any one or all these things may occur, but, to my mind, they detract nothing from the wisdom of the proposed separation of the routes; there could be no more danger than under the present condition of things, under which steamers apparently follow a go-as-you-please policy, and there is every reason to believe that the proposed system would operate to the greatest possible advantage. Ordinarily there would be no excuse for a master of a vessel to fail to keep his ship in the proper track, and under no circumstances would there be any more danger than at present exists at all times at sea.

Discussion before the United States' Naval Institute, Annapolis, Maryland, on Collisions at Sea.

Lieutenant McCarteney.—The recommendation of the employment of different routes for eastward and westward-bound vessels is not the least important of the suggestions made, but the difficulty has been to have these recommendations followed, each captain being naturally desirous of shortening his voyage as much as possible.

There can be no doubt how greatly the adoption of a route to go and another to return will conduce to safety. With these routes, varying with the seasons, and sufficiently separated to avoid the possible danger of a vessel which is following one from drifting into the other, from not having had observations for two or three days, the chances of collision will be much lessened. The United States' Hydrographic Office, in its monthly publication of the Pilot Chart, has for a long time earnestly advocated this subject, and each month calls special attention to the best Transatlantic steam-ship routes.

In his Annual Report to the Bureau of Navigation the Hydrographer says: "Every effort has been made to collect the latest and most reliable data concerning ice in the vicinity of the Grand Banks, but very few Reports have been made of this great danger south of the parallel of 45° N. The Transatlantic routes as laid down on the Pilot Chart seem to have been adopted by the Boston steam-ship lines more generally this year than ever before, which accounts in part for the scarcity of ice reports. Many captains have been inclined to regard the recommendations as unnecessarily cautious, but such illustrations as the collision of the 'Geiser' and 'Thingvalla' affords have convinced the most sceptical of their value. The routes of the various Transatlantic steamlines are slowly but surely drawing together, and while in all probability they will not reach the extreme limit for ice-season travel recommended by the Chart, they will approximate to it, and the adoption of one path each way for all will be a great improvement.' An objection raised to the Pilot Chart routes by Captain Banaré, of the French Hydrographic Office, is that they are not widely enough separated, thus giving opportunity for the possible error previously mentioned, due from lack of observations, wild steering, &c.; but this is a very minor point, and could be easily remedied when certain fixed limits have been adopted and vessels rigidly required to observe them.

In the second part of "Les Collisions en Mer," recently published in the "Annales Hydrographiques," Captain Banaré says that "in giving to navigators a regulation that offers a guarantee of security the tendency would be to diminish the watchfulness on board ship by raising a feeling of false confidence on the part of the captain, from the certainty which he would have that all vessels moving in the contrary direction would follow the official route; also that the lengthening of one of the routes, which would be the natural consequence of the adoption of the double track, could be another element of danger, inasmuch as all vessels would then maintain an exaggerated speed, not only in foggy weather, but at all times, so that the number of collisions, instead of diminishing, would be considerably increased." It is hardly probable that, should such routes be adopted, a captain would take upon himself the responsibility of leaving his proper track, knowing that in case of collision he or his Company would be held responsible for the loss of life and property incurred. Still less would this be apt to occur in thick weather.

Ensign Hayden.—"If it were possible to determine for each voyage a route to go and another to return, the chances of collision would be greatly diminished. But a similar project, applicable only to steamers, and which does not prohibit the crossing of the routes, has raised so many objections that it appears to be abandoned. Notwithstanding, there are localities, like those of the Banks of Newfoundland, for instance, where we find a great number of vessels assembled unable to manœuvre, and for whom it is desirable to enforce some special conservative (protective) measures."

This question of the best regulation of steam traffic across the Grand Banks seems to be one of the most important as well as difficult problems that can come before the Marine Conference, and I am inclined to doubt whether this or any other Conference will be able to agree upon and enforce any set of Regulations that will improve, to any appreciable extent, the present status of affairs. Nevertheless, it should be thoroughly considered from every point of view, and an International Tribunal is the only one that can properly do so. Moreover, the results of the deliberations of the Conference in other directions—its decisions as to lights, fog-signals, and Rules of the Road—have such an important bearing upon this question that its consideration may best be taken up after other points have been definitely decided.

From my connection with the publication of the Pilot Chart, I have of necessity considered this subject very carefully, and perhaps, on that account, more fully appreciate the difficulties in the way of the adoption and enforcement of any hard-and-fast regulations or restrictions regarding Transatlantic steam navigation. So many things enter as factors in the problem, and with such constantly varying force, that I must deprecate the hasty adoption of any of the specious and plausible schemes that look so well on paper and yet would never work in practice.

"The longer any one studies a vast subject," says Professor Bryce in "The American Commonwealth," "the more cautious in inference does he become." The world-renowned Maury even proposed a plan of "lane routes," and, although it has still a prominent existence on paper, yet it has not now, and really never did have, any particular force in practice.

With the Pilot Chart for December 1887 there was published a brief discussion of this subject, and certain routes were recommended. The plan thus initiated has been adhered to since that date, so far as recommendations go, and a brief résumé may therefore be of interest.

Eastward Bound.—Follow this track, or nothing to the northward of it. Leaving New York, steer for latitude 40° 26′ N., longitude 73° 46′ W., thence E.S.E. ½ E. to the 100-fathom line, then deep soundings, and off-soundings, crossing 60° W. in 42° N. and 50° W. in 45° N.; thence follow the great circle, crossing 40° W. in 48° 01′ N., 30° W. in 49° 56′ N., 20° W. in 50° 55′ N., and 10° W. in 51° N.

Westward Bound.—Follow this track, or nothing to the southward of it. Cross 10° W. in 51° 10′ N.; thence following the great circle, crossing 20° W. in 51° 16′ N., 30° W. in 50° 28′ N., 40° W. in 48° 46′ N., and 50° W. in 46° N. Cross 60° W. in 43° N., 69° W. in 40° 38′ N.; then keep inside 30 fathoms, steering to cross 74° W. in 40° 30′ N.

With the addition of a route from the English Channel (course about west by north), joining the west-bound route in about longitude 20° W., and the shifting of both routes to the southward during the ice season, this plan has been consistently and persistently recommended on the Pilot Chart, and many letters of approval have been received from practical navigators and others. The main feature of this plan is, it will be noticed, to keep to the right of a narrow central belt, whose limits are accurately defined, both graphically and by means of a detailed printed description. Westward-bound vessels are thus enabled to take avantage of the Labrador current, shaving Cape Race, if they choose, and eastward-bound vessels can go as far south as they please, to take advantage of the Gulf Stream and the easterly drift-current in mid-ocean. At the same time, in the central belt the danger to the fishing fleet and other vessels is at a minimum; to the north of this belt danger is to be looked for principally from the east, and to the south of it from the west.

Neglecting the fact that different ports of departure and arrival must always interfere with this or any other plan, I may refer to certain other difficulties that may or may not prove insuperable. In the first place, there is the self-evident truth that this great highway of steam navigation, the connecting link between the Old World and the New, is of vast and steadily increasing importance. Even now, although it is traversed yearly at almost railway speed by vessels intrusted with more than a million human lives, and property of an aggregate value of fully a billion dollars, the inventive genius of the age is devoting its best energies toward meeting the demand for better, larger, faster, and safer vessels. The steam-ship that breaks the record and carries the pennant for the best passage becomes famous, and her success is heralded to the four corners of the earth. Now, this fact indicates "a condition, not a theory;" it means that there is a demand that must be considered and complied with, and Regulations that lose sight of, or attempt to discountenance it, are as absurd as would be an attempt to regulate by Statute the speed of railroad trains.

Again, general averages regarding the limits of ice off the Grand Banks are often of no earthly use so far as any particular season is concerned; the present season, for instance, has been a marked exception, almost no ice at all having been reported. The usual or normal limit of drifting ice cannot therefore be considered, and we must base our routes upon the conditions that actually exist, as reported by incoming vessels or by telegraph from St. John's. Another important element is the fact that the mails are given to the fastest vessels. One steamer may take a safer route, traverse a slightly longer distance, and lose the mail; this very thing happened only last year, when the "Werra" was beaten a few hours by the "Servia," and Captain Bussius complained that he had followed the route recommended and lost the mail in consequence. This question should therefore be carefully considered, and Postal Regulations framed accordingly.

Last, but by no means least, all possible reasonable precautions should be taken to avoid unnecessary danger to the brave fishermen who follow their hazardous occupation on the Grand Banks and adjacent fishing-grounds, constantly exposed, in their little sailing-vessels, to all the dangers of this stormy coast, and surrounded half the time by dense fog that gives them scant notice of the approach of one of the rushing ocean greyhounds, whose sharp bow would cut them through like a knife. In this connection let me quote from Captain J. W. Collins, of the United States' Commission of Fish and Fisheries, whose long experience and intimate acquaintance with all the circumstances of the case render his opinion of great value.

Captain Collins says, in a letter dated Washington, 12th April, 1889:—

"So far as any plan is concerned to secure the safety of fishermen upon the Banks by the recommendation of definite lines of travel for ocean steamers, I give as my opinion that it would add much to the safety of fishermen if lines could be established during the greater part of the year which would take the steamers south of the Grand Banks. From March to November there is a large fleet fishing upon the Grand Bank, aggregating somewhere from 500 to 700 vessels, belonging to the United States, British North American provinces, France, and Portugal. A comparatively small number of vessels, principally from the United States, fish upon the Grand Bank throughout the year. The fishing-grounds extend from about 42° 57′ north latitude, which is practically the southern limit for halibut, to the northern margin of the Bank, and sometimes even beyond it. I appreciate the obstacles which might be met with in an attempt to prohibit steam-ships from crossing the Grand Bank, since I realize the force of your statement that the Banks cannot be 'fenced in.' I think, however, that, considering the danger incident to the crossing of the Banks in the spring, summer, and autumn, when fogs are prevalent, it would be vastly to the advantage of the fishermen, and an act of humanity, if the steam-ship lines could be arranged to pass south of the Grand Bank from March to November. In winter, the vessels fishing upon the Grand Bank are generally collected about its southern extremity, where they go to fish for halibut. I would say that at that season the danger to fishing-vessels would not be

so great, if steamers are to cross the Grand Bank anyhow, if the crossing were made north of the 44th parallel of north latitude, or about where it is limited on the Chart you have sent me. A very slight deflection, to avoid the southern point of Banquereau, would take the ships clear of all fishing-grounds resorted to west of the Grand Bank, and would carry them far enough north so that they would not come in contact with the majority of the fleet, at that time fishing on the latter Bank. I have drawn in, roughly, lines which I would suggest for spring, summer, and autumn travel, from March to November, so arranged that the northernmost would just clear the southern prong of the Grand Bank. I most earnestly hope that the Steam-ship Companies may be disposed to adopt some system which will relieve the fishermen from the perils now encountered by them in consequence of Transatlantic steamers crossing the Banks. It seems that this might be done without material disadvantage, for the presence of ice enforces the deflection I have suggested for a part of the year, and there would only remain a comparatively short time when the Transatlantic trade would have to diverge from the course heretofore followed in late summer and autumn."

These considerations seem to me be the principal ones that have an important bearing on the question, and serve to illustrate its complexity and the difficulty of a practical solution that will be advantageous all around. Evidently, conflicting interests must be considered, and a compromise effected, or else the whole thing left *in statu quo*. When we consider, however, the enormous importance of Translantic steam navigation, the demand for great speed and quick passages, the fact that the shortest route is close to Cape Race, that storms, fog, and ocean currents enter as a factor less and less every year, that a single great ocean steam-ship, carrying the Transatlantic mail, and straining every nerve to lessen the gap that separates the Old World from the New, represents almost, if not quite, as great a value in number of lives and amount of property as the entire fishing-fleet of every nationality; considering all these things, I must say it seems to me that all other interests are necessarily subordinate, and any Regulations likely to be effective must be framed accordingly.

Washington, D. C.

Appendix (B).

Report of Committee No. 2 on Lanes for Steamers on Frequented Routes.

(General Division VII.)

Sir, *Boston, October* 17, 1889.

LEARNING of the proposed Conference of nations on the subject of Maritime Regulations, George V. Steele, Esq., President of the Gloucester Mutual Fishing Insurance Company, in the interest of the American fishing-vessels, addressed a Circular to many masters of fishermen asking information as to the dangers of the fishing banks caused by steamers. A few specific answers were received, many remain unanswered.

I transmit, at his request, the accompanying Circular and answers for your consideration.

I am, &c.

(Signed) CHAS. L. WOODBURY.

To the Hon. Secretary of State,
Washington, D. C.

Circular.

Have any vessels disappeared under circumstances which induce the opinion that they have been run down by any steamer or steam-ship and are a total loss?

Do you know of any that have had narrow escapes?

Give the names of such vessels, the date and situation when last seen, and also state the circumstances so far as you have learned them.

June 26, 1889.

Replies.

I have several times narrowly escaped being struck by steamers in thick weather, both while lying at anchor and under sail, on and in the neighbourhood of fishing-grounds. In some instances the steamer has been almost upon me before her way could be stopped or course changed. I have no particular instance in mind.

(Signed) SAMUEL HILTZ.

On the north-east part of George's had very narrow escape from being run down by steamer at night, it being thick fog at the time. She came within 75 feet, and would have run over the vessel if had not been for our torches and horns. This was last February, in schooner "Carl Schurz."

(Signed) JOHN CONSTANCE, *M.*

Schooner "Golden Hind," in 1885, on southern edge of George's, at night, had a narrow escape from collision with steamer. We were lying to, and steamer came so near that we hauled up the boat to leave the vessel, but after showing our torch and making a noise she kept off.

(Signed) RUBEN CAMERON.

Schooner "James A. Garfield," in 1886, in longitude 60°, latitude 43° 30′, had narrow escape from being run down by steamer at 10 o'clock P.M. She came within 25 feet of the vessel, and changed her course when we showed our torch.

(Signed) THOMAS BOHLIN, *M.*

I don't know of any vessel being run down by a steamer, but have had several narrow escapes from steamers going at full speed across the Banks.

(Signed) CHAS. PETERSON, *P.*

Have been master to the "Grand Banks" ten years. The passage of steamers across the Banks is, in my opinion, very dangerous, and I have no doubt that vessels have been run down by steamers in foggy weather. Have seen steamers daily when fishing on the Banks, and have heard their whistle in foggy weather.

(Signed) JOHN GAURVILLE.

Report of Committee No. 2 on Night Signals for communicating Information at Sea.

(General Division VIII.)

Members of the Committee:

Denmark	M. GARDE.
France	Captain LANNÉLUC.
Germany	Captain DONNER.
Great Britain	Admiral BOWDEN-SMITH.
Hawaii	Mr. H. A. P. CARTER.
Portugal	M. SOUZA ROZA.
Sweden	Captain MALMBERG.
The Netherlands	Captain HUBERT.
United States	Captain SHACKFORD.

Sir, *Washington, December* 6, 1889.

WITH regard to sub-sections (*a*) and (*b*) of General Division VIII, the Committee have considered systems of night signals with ordinary coloured lights, but the objection exists that they cannot be seen so far as a white light. It is the opinion of the Committee that night signalling at sea can better be carried on by a system of long and short flashes from a white light than by any system in which coloured lights are used.

The Committee have concluded that the systems of signalling by pyrotechnic lights which have been brought to their notice are too expensive for general use.

The Committee have had before them "A Supplementary Code of limited scope to convey information of special importance to passing vessels," which has been prepared by a Committee of the British Board of Trade, and has been presented by the British Government to the various Powers for their consideration.

Your Committee, after careful consideration, suggest that the Conference recommend the adoption, for optional use, of that Supplementary Code, with the following change, which will become necessary if the Conference adopt the signal suggested by the joint Committee on Pilot Signals, viz.: To strike out signal PG, "Beware of derelict dangerous to navigation," and substitute in its place NP, "I want assistance. Remain by me." Appendix (A) contains this Supplementary Code as amended.

To illustrate the importance attached to the subject of night signals, the Committee refer to the great number of proposals on that subject mentioned by the Report of the Committee on Systems and Devices.

That part of the proposed amendment to Article 27, entitled extra amendment No. 6, which reads as follows:—

"Vessels in want of a pilot have to display their national flag with a white border or make the signal indicated by PT at the fore.

"At night, together or separately.

"The pyrotechnic light, commonly known as a blue light, every fifteen minutes, or a bright white light, flashed or shown at short or frequent intervals just above the bulwarks for about a minute at a time,"—

which was referred to this Committee, the Committee find, is already included in the International Code Signal book under the head of pilot signals; the Committee, therefore, recommend no further action on the amendment.

With reference to the twenty-third amendment to Article 4, viz., "A tug wishing to offer her services to a vessel shall exhibit to such vessel, in addition to the ordinary lights, a white and red flare-up alternately," which was referred to this Committee, the Committee beg leave to report that they do not think it expedient to allot any special signal to vessels of this class.

Sub-section (*e*) referring to distress signals was not considered, as it has been disposed of by the Conference.

In compliance with the Resolution of the Conference referring to this Committee, assisted by the Committee on Sound-Signals, the subject of fog-signals to be allotted to pilots and to vessels seeking pilots, the Joint Committee met and decided upon the following signals:—

For vessels requiring pilots—a prolonged blast followed by a short blast, ——— —

For pilots wishing to offer their services—short blast followed by a long blast, — ———

And the Committee recommend that they be inserted in the International Code Book under the Pilot-Signals.

While considering the subject of signals to convey information of special importance to passing vessels, the decision of the Conference in adding to the signals now in use, consisting of short and long blasts, and the favour in which such signals seem to be held, and the convenience which an extended use of such signals would be to mariners, have led the Committee to consider the benefits which might accrue from the more general use of the Morse system now in use by the navies of various Powers.

Up to the present time no better system seems to have been devised for signalling purposes; it is one which can be used under all circumstances, it is readily acquired by young persons of ordinary ability, and is already taught on some training ships. If its use were encouraged it might lead to the study of the Code by more young men qualifying as officers of the merchant marine, or as signalmen, and thus come into more general use.

Such studies are beneficial in developing the intellectual activity of seamen, and every accomplishment of the kind acquired and made necessary by the requirements of the service helps to develop the *morale* of the sailor.

To thus encourage the use of the system the Committee suggest to the Conference that the complete alphabet of the Morse Code be inserted in the revised edition of the International Code Book for optional use.

(Signed) AUG. GARDE, *Delegate for Denmark.*
HENRI LANNÉLUC. *Delegate for France.*
CHRISTIAN DONNER, *Delegate for Germany.*
N. BOWDEN-SMITH, *Delegate for Great Britain.*
H. A. P. CARTER, *Chairman of Committee, Delegate for Hawaii.*
T. DE SOUZA ROZA, *Delegate for Portugal.*
FREDERICK MALMBERG, *Delegate for Sweden.*
D. HUBERT, *Delegate for the Netherlands.*
JOHN W. SHACKFORD, *Delegate for the United States.*

The Undersigned desire to record that in signing the above Report they do so without prejudice to the opinions they hold as to the desirability of giving special signals to use with fog-horns on board pilot-vessels.

(Signed) CHRISTIAN DONNER, *Delegate for Germany.*
N. BOWDEN-SMITH, *Delegate for Great Britain.*
T. DE SOUZA ROZA, *Delegate for Portugal.*
FREDERICK MALMBERG, *Delegate for Sweden.*
D. HUBERT, *Delegate for the Netherlands.*

To Rear-Admiral S. R. Franklin, United States' Navy,
President of the International Marine Conference, &c.

Appendix (A).

A Supplementary Code of the British Board of Trade, as amended and recommended, and forming a part of Report of Committee No. 2 on Night Signals for communicating Information at Sea.

(General Division VIII.)

IMPORTANT signals which may be made at night or during fog, either by flashes of white light or by a combination of long and short sounds on the steam-whistle, fog-horn, siren, bugle, &c. In the daytime they will be made by flags.

Instructions for the Use of Flashing or Sound-Signals.

(1.)

With flashing signals the lamp must always be turned towards the person addressed.

(2.)

To attract attention, a series of rapid short flashes or sounds should be made and continued until the person addressed gives the sign of attention by doing the same.

If, however, it is supposed that the person addressed cannot reply, the signal may be made after a moderate pause, or, under certain circumstances, the communication may be made direct without preparatory signs.

(3.)

After making a few rapid short flashes or sounds as an acknowledgment, the receiver must watch or listen attentively until the communication is completed, when he must make the sign indicated below, showing that the message is understood.

(4.)

If the receiver does not understand the message, he must wait until the signal is repeated.

(5.)

Duration of short flashes or sounds	1 second.
„ long „ „	3 seconds.
„ prolonged sound	4 to 6 seconds.
Interval between each flash or sound	1 second.
Answer, or "I understand" ... ... — - — - — - — -	&c.

Signals.

JK	You are standing into danger	- - —
NP	I want assistance. Please remain by me	- - - —
QC	Have encountered ice...	- — —
PD	The way is off my ship; you may feel your way past me ...	- — -
JB	Stop, or heave-to; I have something important to communicate	- — - -
PR	Am disabled. Communicate with me	- - — -

When a vessel is in "tow," the following flashes or sounds may be made from her to the tug or towing vessel:—

KR	Steer more to port	- -
KS	Steer more to starboard	-

Pilot-Signals during Fog.

For vessels requiring pilots	——— -
For pilots wishing to offer their services	- —

Inclosure 14 in No. 143.

Report of the Committee upon General Divisions IX, X, XI, *and* XII *of the Programme.*

Committee:

Austria-Hungary ..	..	Lieutenant Sanchez de la Cerda.
China	..	Captain Bisbee.
France	..	M. Ribière.
Germany ..	..	Captain Mensing.
Great Britain ..	..	Admiral Nares.
Norway	..	M. Flood.
Siam	..	Mr. Verney.
Uruguay.. ..	..	Dr. Alberto Nin.
United States ..	..	Captain Sampson.

Sir, *Washington, D.C., December* 1889.

IN submitting their Report the Committee have thought it the most convenient plan to deal separately with each of the General Divisions which have been discussed and considered by them.

General Division IX.

Warnings of approaching Storms.

(*a.*) The transmission of warnings.
(*b.*) The uniformity of signals employed.

(*a.*) The transmission of warnings.

The Committee understand that the various Meteorological Offices in Europe are in frequent and intimate communication, and interchange telegraphic information for the purpose of weather forecasting on that side of the Atlantic Ocean; while the Meteorological Offices of the United States and the Dominion of Canada act in concert on the western side; and also that a similar custom prevails in many Eastern countries.

The preparation of weather forecasts and the transmission of warnings regarding expected storms must, by the very nature of the subject, be dealt with locally; and it is in the opinion of the Committee very questionable whether any useful purpose would be gained by the adoption of uniformity of methods, except so far as the general progress of scientific knowledge indicates the direction of possible improvement; and this, it is hardly necessary to say, is more likely to be secured by work carried on independently rather than under any uniform system.

(*b.*) The uniformity of signals employed.

Storm-warning signals were first introduced in the interests of the shipping or fishing-vessels lying at anchor in harbour or proposing to put to sea. Lately the same warning-signals have been freely extended to coast stations, with a view to give information regarding the weather to passing vessels. Inasmuch as these may be local or foreign traders, the Committee are of opinion that such signals should, as far as possible, be in international agreement.

The established signals originally in use in Europe are evidently founded on the seamen's knowledge of the "Law of Storms," and, while warning him of an approaching cyclone, indicates whether the northern or southern portion is expected to pass over the district. Experience proves that this was practically sufficient information for the masters of vessels in a neighbouring harbour, who would know whether the cyclone was approaching or had passed, but it is scarcely sufficient for coasting vessels, especially those proceeding on a course at right angles to the direction in which the cyclone is moving.

In the opinion of the Committee it is therefore desirable that storm signals displayed at coast stations should give to passing vessels some further information as to whether storms are approaching, or have passed, the station; and, in reference to this, the Committee desire to call attention to the fact that this want has been supplied by the

system now in use in the United States. The German system indicates four directions from which a storm is expected, and whether its probable course is to the right or the left. (See Appendix C.)

In dealing with this matter the Committee have had the advantage of hearing the views of General A. W. Greely, the Chief Signal Officer in charge of the United States' Weather Bureau; and he has summarized them in a Memorandum contained under cover of a letter dated the 23rd December, 1889, both of which are appended to this Report, and to which the Committee desire to draw special attention. (See Appendix A.)

It will be seen that, in this Memorandum, General Greely has indicated the practical reasons for adopting, in lieu of cone-shaped signals, the use of coloured flags for notifying storm warnings on the coasts of the United States, which, it is claimed, can be seen (except in very calm weather) at a greater distance, and by means of which additional information can be given.

The Committee consider that this subject is of such a technical nature that they are not prepared to express a decided opinion upon it. They recommend, however, the Conference to invite the various maritime countries to consider the best practical mode of signalling by day, whether by shapes, coloured or black, by flags, or by the two combined, and by night by means of lights, coloured or white, arranged to represent distinctive forms.

Together with the Memorandum alluded to, General Greely inclosed a copy of "General Orders No. 29," dated from the Signal Office, War Department, the 11th November, 1889, from which a paragraph is quoted, and also a paper of diagrams showing the storm, cautionary, and wind-direction signals in use in the United States. These signals are reproduced in Appendix (B) to this Report.

In recapitulation the Committee recommend the Conference to invite the maritime countries interested to take into consideration the establishment of a uniform system of indicating storm-warnings by day and by night, and that such a system should, as far as possible, include signals indicating whether the storm is approaching or has passed the station.

Rear-Admiral S. R. Franklin, United States' Navy,
President, International Marine Conference, &c.

Appendix (A).

REPORT ON GENERAL DIVISION IX.

Warnings of approaching Storms.

Signal Office, War Department, Washington City,
December 23, 1889.

Sir,

IN compliance with the verbal request of your Committee, I have the honour and pleasure to herewith transmit a brief statement setting forth the methods in vogue giving storm-warnings, which is a concise reduction to writing of the statements made by me before your honourable Committee.

I also transmit a brief statement showing the system of storm-warning signals used in other countries. This statement depends on the official publications in this office, and in the case of some countries, as you will notice, is twelve years old. If more time had been available, possibly later information might have been obtained from some of these countries. As will be observed, Great Britain has modified its system by abandoning the drum. Portugal, also, which officially adopted the English system, though it is doubtful if it ever went into practical use, has replaced it by a system composed entirely of flags. The suggestions from Portugal are pertinent and forcible—that a common system should be used.

Regretting that I have not been able to give more definite and exact information to the International Congress which you represent, and regretting also that the urgency of action has given so brief a time for this summary, I am &c.

(Signed) A. W. GREELY,
Brigadier-General and Chief Signal Officer.

Chairman of Committee No. 3,
International Marine Conference, Washington, D.C.

Explanation of the System of Storm Warnings used in the United States.

The system recognizes the fact that the sailor has the right to expect information regarding coming gales; first, whether they are expected to be of moderate severity or of considerable violence; second, whether the storm signalled has passed him or is approaching him; and, thirdly, whether he is in the northerly or southerly quadrant of the more dangerous winds attending an approaching storm, or in the northern or southern quadrant of the high winds following in the rear of a storm.

With this in view, the first object has been obtained by recognizing the fact that danger is largely represented by the red colour, so that the more violent storms are represented by a square red flag, which has in the centre a small square of white.*

A yellow flag with a white centre indicates light storms.

In order to indicate whether the storm-centre is approaching or has not passed the station a red pennant is used, which thus indicates winds in the front quadrants of the storm, which generally are from south to north-east, and are considered the most dangerous on the American coast. In like manner a white pennant indicates that the storm has passed the station, and that high, clearing winds are expected from the north to the south-west.

In order to convey most simply to the sailor whether the expected winds will be in the northerly quadrant or in the southerly quadrant, the plan has been followed of having the pennant (whether red or white) above the square flag when winds are expected from the northerly quadrant, as naturally the sailor judges that anything which is above should indicate the north. Similarly winds from the southerly quadrant are shown by placing the pennant (whether white or red) under the square flag.

An additional signal, known as the "Information Signal," is displayed for the benefit of the mariner about to sail. It is a yellow pennant, and indicates that the Signal Office is in possession of information which may or may not be valuable. For instance, it very frequently occurs that vessels can sail, not only with perfect safety but with great benefit, in certain directions from the port, while on other courses dangers and delays would follow.

It may be stated that experiments have indicated to this office the decided superiority of flags with colour over-forms, such as spheres and cylinders. Unless the cylinders, cones, and balls are very large they cannot be distinguished under average conditions more than 2 to $2\frac{1}{2}$ miles, and observation has confirmed the theoretical knowledge that during the warm part of the day, or under any conditions where vertical air currents obtain, the distortion of the forms is so great as to render them indistinguishable and uncertain even at moderate distances. Experiments have also shown that the reds, blues, greens, and dirty whites tend to show up as black, and that the only light colour which holds its visibility as a colour at any considerable distance is yellow. It would thus appear that the red, being a pronounced danger colour, and the yellow, are the most suitable colours for storm-warning signals.

The white pennant now in use by the United States could, with advantage, be replaced by the yellow pennant, but it was not adopted owing to the prejudice which obtains in southern ports against the yellow flag, and the fear that the display of the solid yellow, such as is used in the pennant, might be mistaken for a "yellow-fever flag." The large yellow flag having a white centre is not so liable to misinterpretation.

The various systems of cautionary or storm signals in use by the several Meteorological Services are about as follows, as far as we are able to judge from the information contained in this office.

The system used by the London Meteorological Office for the British Isles, as described by Mr. Scott in 1887, was as follows: The day cautionary signal consisted of a cone 3 feet high and 3 feet wide at the base. Hoisted with the point downward, it indicated that a gale was probable from the south, and hoisted with the point upward to indicate that the gale would probably be from the north. Cautionary night signals of this system consisted of three lanterns, arranged in the form of a triangle representing the outline of a cone. The signals are cautionary, and the fact that such notice has been received at any station is made known by hoisting the cone, the meaning of which is a warning to sailors and others interested to "Look out; it is probable that bad weather of such and such a character is approaching you." In every case some of the principal reasons which have led to the hoisting of signals are briefly explained in the telegram, which should always be kept posted up for public inspection while the signal is flying. The Central Meteorological Office issues to ports and fishing-stations, approved by the Board of Trade, notices of approaching storms near the coast of the British Islands.

The system now in use in the British Islands is based upon the system adopted by Admiral FitzRoy in 1862, only it is less complicated. The FitzRoy system consisted of the north and south cones and combinations of these for day signals, and lanterns arranged in the form of a triangle or parallelogram to represent the cone and drum. The cone and drum were hoisted together—the cone above the drum with the vertex up—when the gale was expected to be first to the north and afterward shifting to some other quarter. The position of these symbols was reversed when the storm was expected to set in first from the south.

The Canadian system consists of a cone or cone and drum for the day signals, while the night signals consist of two lamps.

The Meteorological Department of the Government of India uses the following system of cautionary signals: Day signal No. 1, to indicate bad weather, or a warning signal, a ball. No. 2, a storm or danger signal, a drum. For a night signal No. 1, or bad weather signal, three white lights arranged in a vertical line. No. 2, storm or danger signal, two white lights arranged in a vertical line.

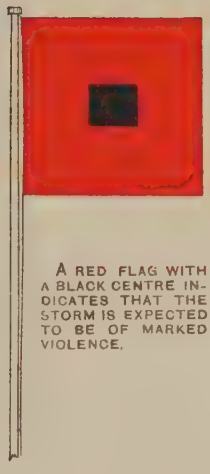
In a Report on weather telegraphy, by Robert H. Scott, Secretary of the Permanent Committee, the following replies relative to the systems of signals employed in the various countries for the

* This small centre of white is not a desirable or necessary part of the flag, and it was only adopted for reasons of economy, in order to utilize a large number of flags of this pattern which are on hand for use in army signalling.

UNITED STATES SIGNAL SERVICE,

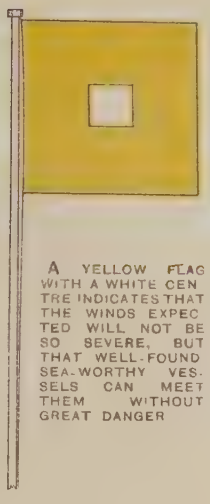
WIND SIGNALS.

Storm.



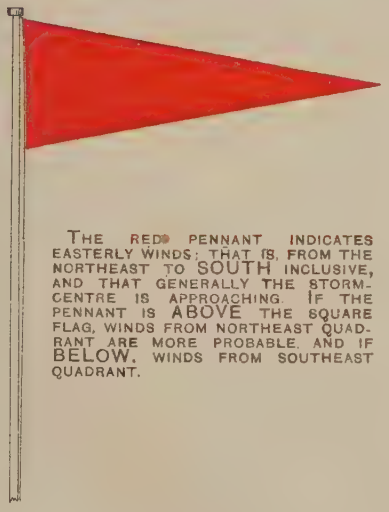
A RED FLAG WITH A BLACK CENTRE INDICATES THAT THE STORM IS EXPECTED TO BE OF MARKED VIOLENCE.

Cautionary



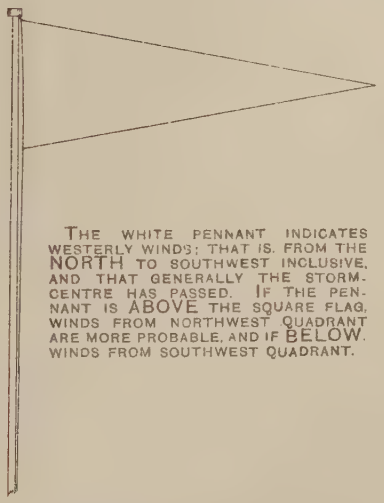
A YELLOW FLAG WITH A WHITE CENTRE INDICATES THAT THE WINDS EXPECTED WILL NOT BE SO SEVERE, BUT THAT WELL-FOUND SEA-WORTHY VESSELS CAN MEET THEM WITHOUT GREAT DANGER

Easterly winds.



THE RED PENNANT INDICATES EASTERLY WINDS; THAT IS, FROM THE NORTHEAST TO SOUTH INCLUSIVE, AND THAT GENERALLY THE STORM-CENTRE IS APPROACHING. IF THE PENNANT IS ABOVE THE SQUARE FLAG, WINDS FROM NORTHEAST QUADRANT ARE MORE PROBABLE, AND IF BELOW, WINDS FROM SOUTHEAST QUADRANT.

Westerly winds.



THE WHITE PENNANT INDICATES WESTERLY WINDS; THAT IS, FROM THE NORTH TO SOUTHWEST INCLUSIVE, AND THAT GENERALLY THE STORM-CENTRE HAS PASSED. IF THE PENNANT IS ABOVE THE SQUARE FLAG, WINDS FROM NORTHWEST QUADRANT ARE MORE PROBABLE, AND IF BELOW, WINDS FROM SOUTHWEST QUADRANT.

By night a red light will indicate easterly winds and a white light above a red light will indicate westerly winds.

A. W. GREELY,

Chief Signal Officer.

NOTE.—Hoisting signals for each quadrant is an opinion only, offered to aid the public, as the predictions upon which they are based are only made for easterly or westerly winds.

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Harrison & Sons, Printers St Martins Lane W.C.

announcement of storm warnings were received in 1877, and later information has not been received relative to some of these systems of signals:—

Russia.—Drum and cone, with lamps for night signals.

Sweden.—Storm warnings not in use.

Norway.—In some places balls or flags. No official or uniform system. No night signals.

Denmark.—No storm warnings.

Holland.—The Æroklinoscope, for the direction and force of the expected wind. Sheets on which are noted the winds actually blowing, barometer heights, temperature, &c.

Belgium.—No storm warnings.

France.—Drum and cone. No night signals.

Austria.—No storm warnings.

Turkey.—By signals. The reports are exhibited in the harbour offices.

Mauritius.—Flags and ball, with lamp for night signals.

New South Wales.—Admiral FitzRoy's. No night signals.

Victoria.—None at present. The English system is to be adopted.

Warning Storm-Signals in use on the Coast of Portugal since August 1, 1888.

At all the semaphore stations the state of weather is communicated to passing vessels by the signals of the Commercial Code, which, being known to all mariners, is used in view of the fact that there is no International Code of Storm-signals. This system indicates the force of the wind, on a scale of one to six, and also its direction to eight points.

It is suggested from Portugal that the system of signals should be common for all coasts, and also very simple; that one flag should indicate the section of the coast predicted for, a second the direction of the wind, and a third flag or a triangle the force of the wind.

General Orders No. 29.

* * * * * *

III.—*Information Signal.*

In obedience to the wishes of a large number of vessel-owners, ship captains, and others interested in navigation, the Chief Signal Officer has adopted a signal known as the "Information Signal," and forming one of the system of "Storm, Cautionary, and Wind-direction Signals."

The "Information Signal" consists of a yellow pennant, of the same dimensions as the red and the white pennants (wind-direction signals), and when displayed indicates that the local observer has received information from the Central Office of a storm covering a limited area, dangerous only for vessels about to sail to certain points. The signal will serve as a notification to ship-masters that the necessary information will be given them upon application to the local observer. The use of this signal will begin the 1st December, 1889.

It is believed that the display of the "Information Signal" will, in many instances, obviate the necessity for the display of the "Cautionary Signal" (yellow flag with white centre).

Signal Office, War Department, Washington,
November 11, 1889.

Appendix (C).

Report on General Division IX.

Warnings of approaching Storms.

System of Storm Warnings used in the German Empire.

THE system of cautionary signals adopted in the German Empire is as follows:—

1. A ball means—caution.
2. A cone hoisted point down—Storm from S.W.
3. A cone hoisted point up—Storm from N.W.
4. Two cones hoisted points down—Storm from S.E.
5. Two cones hoisted points up—Storm from N.E.

One square flag hoisted, together with these shapes, means—that the wind will probably turn to the right—(N.E., S.W.); two flags, pointed in the same way, mean—that it will probably turn to the left—(N.W., S.E.).

Night signals are not in use.

Appendix (D).

Report on General Division IX.

Warnings of approaching Storms.

Opinions of Officers and others, submitted for the consideration of the Maritime Conference.

Report of Ensign George P. Blow, United States' Navy, in charge of Branch Hydrographic Office, New York City, on General Division IX.

"(*a.*) The transmission of warnings."

Warning of approaching storms should be immediately telegraphed to the seat of Government of each country or island over which the gale is expected to pass, or the shipping of which will be exposed to danger. As soon as this report is received, it should be turned over to the meteorologist for elaboration and correction. With a knowledge of the local action of such gales in the past, together with a careful consideration of the meteorological conditions then existing, a very accurate forecast of the weather may be made. This forecast or warning should then be telegraphed to all the seaboard cities, life-saving stations, light-houses, and, where possible, to the light-ships. (In the near future it is believed that all light-ships will be connected with the shore by submarine cables, which will make it possible to display these storm-signals.) Printed bulletins in English, French, German, Spanish, and Italian, giving a brief description of the approaching storm, should also be posted in all the Exchanges, Custom-houses, and other places where ship-masters are known to congregate.

Warning signals should be hoisted at each signal station, light-house, life-saving station, and light-ship within the threatened district.

"(*b.*) The uniformity of signals employed."

It is of great importance that the signals employed for this purpose be the same all over the world. The captain or mate of a foreign vessel may not be able to read the bulletins giving warning of an approaching storm, or may not be in a position to see it, but if an international system be adopted he will have ample warning from the signal station before leaving port. There are many systems of signals used in different countries for the purpose of giving timely warning of danger to the captain about to leave port, or coasting along the shore from light-house to light-house. Some of these depend upon the number and colour of flags, others upon the position of different shapes suspended from masts and yards, and others again upon the semaphore system. Flags are not suitable for the purpose, as they are only extended in a breeze, and are of no use in a calm. It is found to be impossible to distinguish colours in misty or foggy weather, or where the bunting is old and discoloured, even when the flags are extended to the full limit in a stiff breeze. Flags cannot be read even under favourable circumstances when the wind is blowing either towards or away from the observer. It is believed that the best results can be obtained from a modification of the semaphore system, and the following rough plan is respectfully suggested:—

The arm of the semaphore will be used to denote the direction from which the gale or storm may be expected, while the shapes suspended from the end of the arm will denote the relative force of the wind. These semaphores should be established at all signal stations, light-houses, and, where practicable, on every light-ship, and they should be as large as the surrounding conditions will admit. They should be painted such colours as can best be distinguished. At night the direction of the arm of the semaphore will be shown by three coloured lights, according to the amount of danger to be apprehended from the approaching storm.

Information Signal.

It sometimes happens that a severe storm is raging on some other part of the coast, but is not expected to pass over certain sections. It is very important that all vessels about to sail from ports in this section, however, should be warned of these gales. Thus, a cyclone in the Gulf of Mexico may not reach the northern ports of the United States, and storm-signals would not be displayed in Boston, but only along the Gulf Coast. It is essential that all vessels about to go south be warned of what is approaching. The "Information Signal" is displayed for this purpose at all signal stations where there are vessels likely to sail for the dangerous district. The "Information Signal" simply calls attention of ship-masters about to leave port that a severe gale is raging at some other place, and advises him to call at the station and obtain further information, read the weather bulletins and telegrams, and consult the Weather Bureau before sailing. To signal this information would necessitate such a complicated code as to make the whole system unintelligible. The "Information Signal" should be made with the semaphore arm unshipped or concealed, as it is not intended to give the direction of the wind, but simply to state that information can be obtained by calling at the Branch Hydrographic Office, or Signal Office. It is suggested that this signal be given by unshipping the semaphore arm and placing it across the semaphore frame by day, and by three white lights forming an equilateral triangle by night.

For moderate gale a cone is suspended from the semaphore's arm instead of the ball by day, and the two green lights mark the direction of the semaphore's arm instead of the two red lights by night.

Wm. C. Whittle, Captain, Bay Line Steamer "Georgia."

(*a.*) I think that much good would result from an interchange of opinions between passing vessels and when one vessel meets another. I think it would be well to communicate warnings of bad weather or assurances of good.

(*b.*) As no system of communicating could be intelligible without uniformity, all classes of information should be communicated under an International Code for such purpose.

The arrangement of such a Code should be made by a Conference of authorities on maritime matters, and international legislation obtained for its enforcement.

Report of D. T. Terrill, Ensign, United States' Navy (in charge of Branch Hydrographic Office, Portland), Oregon, concerning Opinions of seafaring men whom he has interviewed.

The Signal Service of the United States leaves but little to be desired in the way of improvement. Its flags convey accurately the information desired.

Stations showing warning flags should be established where all vessels could receive the latest information before putting to sea.

Extract from Letter written by Edw. Gittins, Secretary of the Mersey Docks and Harbour Board, August 26, 1889.

Storm warnings are received by telegrams from the Meteorological Office at London, and signals, consisting of a cone, are exhibited in a prominent position for the information of parties concerned in shipping. Copies of the telegrams are also posted in various public places.

Extract from "North Sea Pilot," Part IV, 4th Edition, 1887.

Weather Signals.—The following local signals have been adopted at the principal ports and shipping places on the coast of France, in addition to the established storm warnings :—

1. A flag, of any colour, indicates : weather doubtful, barometer inclined to fall.
2. A short pendant (cornet) indicates : appearance of bad weather, heavy sea, barometer falling.
3. A pendant indicates : appearance of better weather, barometer rising.
4. A ball above cornet indicates : the entrance of the port has become dangerous, be careful.
5. A ball below cornet indicates : the life-boat is coming out.

Weather Signals.—Signals, in connection with the telegraph station on the Skaw, are made at the masthead by means of a black cone and cylinder, and remain hoisted for 36 hours after the receipt of the despatch from the Meteorological Institution at Christiania ; they signalize great atmospheric disturbances that may threaten the neighbouring coasts in the North Sea and in the Baltic.

A cylinder over a cone with the point down : a gale threatened from the south.

A cylinder under a cone with the point up : a gale threatened from the north.

A cylinder alone : a gale, without indicating the direction.

Extract from "Baltic Pilot," 2nd Edition, 1888.

Storm warnings are regularly transmitted to the stations at Libau, Windau, Riga, Pernau, Baltic Port, Revel, Hangö, Helsingfors, and Kronstadt, from the Chief Observatory at St. Petersburgh. The signals are made with a cone and a drum When the cone is hoisted point downwards it indicates that strong winds may be expected from S.E. to N.W. by the south ; point upwards, that strong winds may be expected from N.W. to S.E. by the north. At night the storm warnings are signalled by three lanterns in the form of a triangle, with the point either up or down, corresponding with the day signals.

General Division X.

Reporting, marking, and removing Dangerous Wrecks or Obstructions to Navigation.

(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts.
(*b.*) The division of the labour, cost, and responsibility among the several maritime nations, either by geographical apportionment or otherwise—
Of the removal of dangerous derelicts;
And of searching for doubtful dangers with a view of removing them from the Charts.

The heading of this Division leaves it doubtful whether the Conference expect the Committee to consider measures dealing with dangerous wrecks and obstructions in territorial waters, as well as on the high seas.

The Committee are of opinion that it is not necessary or desirable to propose international action regarding territorial waters, except the marking of wrecks, which subject is treated under General Division XII.

(*a.*) *A uniform Method of reporting and marking Dangerous Wrecks and Derelicts.*

Wherever the word "wreck" is used in this Report, it is meant to designate "an abandoned vessel aground," and wherever the word "derelict" is used, it is meant to designate "a vessel afloat permanently abandoned."

Wrecks are not always to be considered a source of danger to navigation. When lying outside of the fairways, as for instance on dangerous sands, or on coral reefs, they may even contribute to the safety of navigation by becoming conspicuous day marks; but when they are lying in a fairway, in water of not sufficient depth to allow vessels to pass without striking the hull or spars of the wreck, they become a serious danger to navigation.

Derelicts are always a danger to navigation, as other vessels may run into them without any warning, particularly at night or during thick weather. Since the 1st January, 1889, five collisions with derelicts are known to have taken place in the North Atlantic Ocean alone, by one of which lives were imperilled. (See Appendix A.)

Undoubtedly the number of lives and the value of property lost through collision with derelicts at sea has been very considerable, and such losses might be greatly reduced if proper steps were taken to clear the seas of such dangers.

Other dangerous obstructions (icebergs, newly discovered shoals, reefs, &c.) would seem to be included under the heading of "General Division X," and although not alluded to in paragraph (*a*), should, in the opinion of the Committee, be discussed here, as they may constitute the most serious of all the dangers dealt with in this Division.

Reporting Dangerous Wrecks and Derelicts.

The danger caused by wrecks and derelicts might be considerably lessened if their exact position were known to the mariner. For obvious reasons it is often most difficult to attain this end completely. Much, however, would be gained if as accurate a report as possible were secured and brought to the notice of mariners without loss of time.

Regarding the manner in which such reports should be brought to the Central Office in charge of the distribution of "Notices to Mariners," the Committee propose the following Resolutions:—

1. That it is advisable to make it the duty of any of the officers or of the crew of a wreck or derelict to report, as soon as possible after landing, to the nearest harbour authority, if necessary through their Consul, as follows:—

(*a.*) Name of the vessel abandoned.
(*b.*) Her distinguishing number.
(*c.*) Name of her home port, port from which she sailed, and place of destination.
(*d.*) General description of vessel and her rig.
(*e.*) Place where abandoned (latitude and longitude as near as possible).

(*f.*) Weather and current experienced before leaving the vessel, and in case she was a derelict, the direction in which she would most likely drift.

(*g.*) Whether or not it is intended to take any steps toward her recovery.

2. That a similar report should be made to the same authorities by the master of any vessel sighting a wreck or derelict, and a suitable entry made in the ship's log.

3. Such reports should be published in "Notices to Mariners," the daily press, and, if necessary, by giving telegraphic information to the ports which it most concerns.

Reporting other Obstructions to Navigation, as Icebergs, newly discovered Shoals, Reefs, &c.

Regarding the manner in which such reports should be transmitted to the proper authorities, the Committee propose the following Resolution:—

4. That it is advisable to make it the duty of every commander or master of a vessel to report the fact that an iceberg or dangerous field-ice has been sighted, or a shoal, reef, or other obstruction has been discovered, to the harbour authorities or the Hydrographic Office of that country to which the port next reached belongs, giving a full description of the obstruction, and all facts that may lead to the determination of its position: for instance, the time elapsed since the last reliable astronomical observation, and the rate of the chronometer. If the obstruction be a shoal or reef, the depth of water actually obtained by sounding on it should be given. Also when land is in sight the position of any off-lying shoal or reef should be determined by compass bearings of fixed objects in view; the error of the compass being stated, with information as to how and when that error was observed. Angles should also be taken between such objects, and a drawing of the coast and the position of the observer be added.

Regarding the reporting of ice met with in the vicinity of the Newfoundland Banks by signal from a vessel to other vessels the Committee are aware that an "Ice Code" has been published by a private individual which, according to his own statement, is rather extensively used amongst the steamers employed in the regular trade between the port of New York and the ports of Northern Europe.

This Code seems to offer some advantages, but as there was no evidence before the Committee showing whether its use had been found to be beneficial or otherwise, they were unable to decide whether the introduction of this Code or a similar one could be recommended.

Marking Wrecks and Derelicts.

As it appears impracticable in most cases for the master and crew of a sunken vessel to mark the wreck in any effective manner, no such obligation should be imposed on them; and it would also be a great burden, aside from the peril of the undertaking, to compel a passing vessel to mark a derelict. Neither does it seem feasible that any National Government should assume such a duty; but so far as possible means should be employed by which derelicts may be recognized at first sight, and with this end in view, the Committee recommend the adoption of the following Resolution:—

5. That whenever practicable it shall be the duty of the crew before abandoning a vessel (*a*) to hoist some distinctive signal, as: BCF, "Abandoned by the crew," or CRTG, "Derelict," or a ball, shape, or other similar mark, where it can best be seen, and where it should not be mistaken for any other authorized signal; (*b*) to let go the sheets and halliards of such sails as are not furled.

Marking other Obstructions.

At present it seems impracticable to mark shoals, reefs, &c., whether they be well known or only newly discovered, with the exception of those lying near the coasts of countries having a maritime commerce, and we consider it unnecessary to press for their being marked in other localities where they can be readily avoided by the exercise of ordinary skill and the usual precautions known to navigators; for this reason the Committee have no proposition to submit to the Conference beyond the introduction, so far as possible, of a uniform system of buoyage.

(*b.*) *The division of the Labour, Cost, and Responsibility among the several Maritime Nations, either by Geographical Apportionment or otherwise, of the removal of Dangerous Derelicts; and of searching for doubtful Dangers with a view of removing them from the Charts.*

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1. *Derelicts, &c., on the High Seas.*

A geographical apportionment of the waters of the globe amongst the different maritime nations, in order to divide the labour and cost of removing wrecks and derelicts, or searching for doubtful dangers, cannot be recommended for adoption.

In the open sea, with the exception of a part of the North Atlantic, derelicts and dangerous wrecks are exceedingly rare, and as these parts of the ocean are, comparatively speaking, not much frequented by vessels, the danger accruing from such obstructions is not one to warrant the expenditure of such sums of money as would be necessary to institute a regular service, sufficient to insure their removal from regions of such enormous extent. The news of having sighted a derelict is often a week or more old before it is received by the authorities; a rescuing steamer can often not be on the spot for another week; the position given is in many cases not accurate; and in most parts of the sea the drift of the derelict is exceedingly uncertain. It is, therefore, a most difficult task for a vessel sent out to search for a derelict to find it; and the expense incurred by such expeditions may often be out of all proportion to the small chance of finding and removing one.

The geographical apportionment of the waters of the oceans might, besides this, easily lead to the supposition that the limits so defined would circumscribe, moreover, the sphere of political interest of the respective Governments.

2. *Derelicts in the North Atlantic.*

In the North Atlantic, particularly in that part of it bordering the North American coast westward of a line drawn from the Bermuda Islands to Cape Race, Newfoundland, derelicts are so frequently met with that they must be considered a serious danger to navigation.

As in these waters the vessels whose safety is imperilled by their existence are exceedingly numerous, the number of persons on board of them very large, and the value of these ships and their cargoes very great, and as, moreover, the chances for locating derelicts, and for determining the direction of their drift, are particularly favourable, the Committee propose that the various Maritime Powers should come to some agreement respecting their removal.

In case this proposition should be entertained, it is submitted that the respective Powers should also come to some understanding regarding the proprietary rights which may still exist, whether in the ship or in her cargo.

Besides this, it seems desirable to point out that, amongst other matters that will necessarily have to be considered, it would be well to take steps to prevent the destruction of derelicts that might readily have been saved, and to make sure that, in case destruction has been decided upon, no evidence of crime should be destroyed also.

3. *Wrecks and Derelicts in Coast Waters.*

Regarding wrecks and derelicts in coast waters outside the territorial limits, the Committee submit that the duty of marking, and, if necessary, of removing wrecks, or such portions of them as obstruct navigation, has already been generally acknowledged by the Governments whom it concerns, and therefore no further propositions have to be made in this regard.

It has, however, been brought to the notice of the Committee that Governments who, by Treaty, have acknowledged the exterritoriality of subjects of other Powers and of their property, are sometimes very much hampered by the consideration of private interests in their action regarding the removal of wrecks, even when the value of the wreck and cargo is very small, and there is scarcely a possibility that salvage operations can be successfully undertaken. The Committee are therefore of opinion that a Resolution should be adopted to the following effect: That in such cases the Consul or Consuls concerned shall not have

he right of withholding his or their consent to the destruction of a wreck, or parts thereof, if it is shown that the wreck constitutes a danger to passing vessels, and if there is no apparent possibility that it will be removed within a reasonable time by the owners or by the Insurance Companies interested.

As to derelicts in coast waters, there seems to be little doubt but that private enterprise, in order to secure salvage, will prove sufficient to remove any of them. For this reason it would seem to be unnecessary that any proposition should be made which would interfere with the established custom.

There was, in the opinion of the Committee, some doubt regarding the meaning of the word "responsibility" used in this heading. They consider, however, that no Government would acknowledge any responsibility for the waters under discussion which had not been made the subject of some formal agreement entered into after negotiations by the usual diplomatic methods.

4. *Searching for doubtful Dangers with a view of removing them from the Chart.*

The greater part of these dangers have been entered on the Charts from the reports of single ships, and under the assumption that it is often better to do so rather than have the mariner entirely unwarned; though such reports may have appeared from the very first of doubtful accuracy. In order to make sure that these dangers do not exist, it has been conclusively shown by experience that it is not sufficient to sail across the alleged position, but that it is necessary, at the same time, to take extensive soundings to prove beyond a doubt that nowhere in the vicinity of the alleged danger anything but deep water is found, and that it is, therefore, justifiable to remove the danger from the Chart. This has become the acknowledged custom of the different Hydrographic Offices.

In order, therefore, to make such searches effectual, ships employed for this purpose should be fitted out with deep-sea sounding apparatus. Ordinary war-vessels are not usually supplied with such means, but only surveying vessels or vessels fitted out for scientific exploration. Such vessels will, as a matter of course, receive from their respective Governments instructions to search for dangers of this kind whenever they find them located in a position near which their special mission will take them. What is, however, most wanted, at present, are accurate surveys on coasts newly opened to trade and commercial enterprise, in order to detect dangers whose existence is entirely unsuspected. The number of these that are yearly discovered (ninety last year), many by the expensive process of losing a ship on them, proves incontestably how imperfect the surveys of the world are.

To divert ships engaged in such surveying work, to scour the ocean in order to verify doubtful reports under international engagements, would be to practically stop the production of improved surveys. Under these circumstances the Committee cannot recommend any action in the matter.

If masters of vessels, when seeing indications of shallow water, would act in accordance with the Resolution we have placed before the Conference, on p. 3,* instead of passing on their course without any examination, or even taking a cast of the lead, the number of these dangers reported as doubtful would be greatly lessened.

Resolutions regarding General Division X, submitted for the consideration of the Conference.

1. That it is advisable to make it the duty of any of the officers or of the crew of a wreck or derelict to report, as soon as possible after landing, to the nearest harbour authority, if necessary through their Consul, as follows :—

(*a.*) Name of the vessel abandoned.

(*b.*) Her distinguishing number.

(*c.*) Name of her home port, port from which she sailed, and place of destination.

(*d.*) General description of vessel and her rig.

(*e.*) Place where abandoned (latitude and longitude as near as possible).

(*f.*) Weather and current experienced before leaving the vessel, and, in case she was a derelict, the direction in which she would most likely drift.

(*g.*) Whether or not it is intended to take any steps toward her recovery.

* See p. 295

2. That a similar report should be made to the same authorities, by the master of any vessel sighting a wreck or derelict, and a suitable entry made in the ship's log.

3. That such reports should be published in "Notices to Mariners," the daily press, and, if necessary, by giving telegraphic information to the ports which it most concerns.

4. That it is advisable to make it the duty of every commander or master of a vessel to report the fact that an iceberg or dangerous field-ice has been sighted, or a shoal, reef, or other obstruction has been discovered, to the harbour authorities or the Hydrographic Office of that country to which the port next reached belongs, giving a full description of the obstruction, and all facts that may lead to the determination of its position; for instance, the time elapsed since the last reliable astronomical observation, and the rate of the chronometer. If the obstruction be a shoal or reef, the depth of water actually obtained by sounding on it should be given. Also when land is in sight the position of any off-lying shoal or reef should be determined by compass bearings of fixed objects in view; the error of the compass being stated, with information as to how and when that error was observed. Angles should also be taken between such objects, and a drawing of the coast and the position of the observer be added.

5. That whenever practicable it shall be the duty of the crew, before abandoning a vessel (*a*) to hoist some distinctive signal, as BCF, "Abandoned by the crew," or CRTG, "Derelict," or a ball, shape, or other similar mark, where it can best be seen, and where it should not be mistaken for any other authorized signal; (*b*) to let go the sheets and halliards of such sails as are not furled.

6. That the different Maritime Powers interested in the navigation of that portion of the North Atlantic Ocean bordering the American coast, and situated westward of a line drawn from the Bermuda Islands to Cape Race, Newfoundland, be invited to come to an agreement respecting the removal of derelicts in these waters under due official supervision.

7. That in countries which, by Treaty, have acknowledged the exterritoriality of subjects of other Powers and their property, the Consul or Consuls concerned shall be instructed not to withhold his or their consent to the destruction of a wreck, or parts thereof, if it is shown that the wreck constitutes a danger to passing vessels, and if there is no apparent possibility that it will be removed within a reasonable time by the owners or the Insurance Companies interested.

Appendix (A).

Report on General Division X.

Reporting, marking, and removing Dangerous Wrecks or Obstructions to Navigation.

Report of Ensign George P. Blow, United States' Navy, in charge of Branch Hydrographic Office, New York City, on General Division X.

"(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts."

An International Telegraphic Exchange should be established for this purpose. The position of every dangerous wreck or derelict should be reported by telegraph to the Government of each of the maritime nations as soon as received. Every Government should immediately telegraph this information to each of its seaport cities, together with such additional information as may be necessary. In the case of "wrecks," it should be the duty of the Government within whose jurisdiction the wreck is located to properly mark it, and to immediately notify the other Governments by telegraph that such has been done. The marks employed for this purpose should be "wreck-buoys" or "watch-vessels." These marks should be kept in position until the wreck has been removed or destroyed, or has ceased to be a danger to navigation. When this is the case, telegraphic notice of the removal of the mark should be given. If possible, due notice of the removal of any "wreck-buoy," or "watch-vessel" shall be given in advance. Wreck-buoys should be painted green and should carry a cage of the same colour made in the shape of a cube. The name of the wreck should be plainly marked on the buoy or "watch-vessel." The buoy should be a lighted one, if possible, and should show two green lights. The "watch-vessel" should be painted green, with the name of the wreck plainly marked on each side in white. By daytime two green cubes should be hoisted, one above the other, and by night two green lights should be shown in the same position.

It would be impossible to mark derelicts unless they should be on soundings and could be anchored. The only thing that can be done is to warn mariners of their probable position, and offer inducements to passing vessels to destroy them or bring them into port.

"(*b.*) The division of labour, cost, and responsibility among the several maritime nations, either by geographical apportionment or otherwise."

"(*b*, 1.) Of the removal of dangerous derelicts."

It is the manifest duty of each nation to police its own waters and to keep them free from derelicts, wrecks, or other obstructions. The policing of the high seas becomes much more complicated and difficult. An attempt to apportion certain areas to each nation would meet with great opposition and innumerable complications, except in waters like the North Atlantic. In the latter case, where the great bulk of the commerce of the world is concentrated, the immediate coasts are occupied by a few powerful civilized Maritime Powers, both capable and willing to assist in clearing the ocean of dangers. Along the African coasts, or among the islands of the Pacific, however, it would be impossible to carry out such an apportionment.

According to almost universal custom and law, if a vehicle breaks down in the street or road, it is the duty of its owner to remove it at once, so as not to obstruct the highway. A derelict vessel occupies the same position as an abandoned carriage in a road; often valueless to its owner, but a source of constant danger to others. It should be the duty of the Government whose flag the vessel flies to send out, and either bring her into port or destroy her. As above stated, the North Atlantic can, with great ease, be divided into certain areas, and each section can be policed by one of the Great Powers. This action is earnestly advocated. But for the other oceans this idea is not deemed practicable. Some inducement should be given to vessels to bring derelicts into port or destroy them. Time is valuable to seamen as well as to those on shore, and a liberal allowance should be paid for the destruction of one of these floating wrecks. In case of a vessel floating bottom up, only a short time is required to pierce her bottom and sink her, but a timber-laden vessel would require torpedoes or dynamite to break her up.

It is suggested that a liberal sum be paid the captain and crew of any vessel who destroy a derelict. Proof of the actual destruction of the wreck would, of course, be required before payment. This sum should be paid by the Government under whose flag the derelict originally sailed. It is believed that if such an inducement should be offered many vessels would destroy derelicts, and thus greatly reduce the danger of navigation.

A still further inducement should also be offered by decreeing that the salvage on an abandoned vessel (after a certain limit of time) be the total value of the vessel and cargo. This would pay a steamer for towing a derelict into port.

"(*b*, 2.) Or of searching for doubtful dangers with a view of removing them from the charts."

With the exception of the North Atlantic Ocean any geographical apportionment would be impossible, as above stated; and the number of doubtful dangers in the Atlantic is so small that there is really little need for such an apportionment. Probably the best and simplest way of accomplishing the desired object would be for an International Agreement to be made between all the Maritime Powers for the continuous prosecution of this work. Each Government should pledge itself to employ one or more properly equipped vessels in this work, and to give the other Powers full reports of the results obtained from time to time. The number of vessels employed should depend upon the amount of commerce, and be in direct proportion to the foreign trade of the nation. No attempt should be made to coerce any Power into investigating certain sections, as it is believed that the country most interested should make the investigations, and each should be free to choose its own field of operations. These vessels would, of course, be required to search for and destroy wrecks or derelicts in the vicinity of their working grounds; or, when so ordered, to cruize specially for these dangers and remove them.

It is believed that such an agreement will be much more readily made and kept than one depending upon geographical apportionment, and that better results will follow its adoption.

Report submitted by the United States' Hydrographic Office on General Division X.

(*a.*) As regards aids to navigation, a uniform method of reporting and marking dangers is absolutely necessary; much trouble has been experienced in this Division because no system prevailed; time, labour, and confusion would be saved if a uniform method would be adopted and adhered to.

(The bearings should be given from seaward, or towards the object, as the mariner sees it. Whether true or magnetic, the variation used should be stated.)

(*b.*) A uniform method of spelling geographical names, based upon the spelling adopted by the nation to which the place belongs, leaving the pronunciation out of consideration, except in those languages where it becomes necessary by reason of the characters used to represent sounds (Chinese and Japanese), should be adopted.

The maritime community would be benefited greatly by the use of a universal geographical dictionary, in which the spelling of names would be universal, the pronunciation to be in parentheses, according to the usage of the principal nations interested.

A uniform system of reporting the characteristics of lights should be adopted, and the visibility should be upon a basis common to all nations. As to the former, the words "intermittent" and "occulting" are cases in point. There is no proper distinction between the two; the word "occulting" is doubtful to some, and "intermittent" is preferable. In our light lists it includes the term "occulting."

As to the visibility, the elevation of the focal plane of the light above high-water level is given, and the distance of the sea horizon due to that elevation, or the distance it may be seen from the deck of an ordinary vessel. With us 15 feet is used; the English, 14 feet; the Italians, 18 feet; the French, 4½ metres (about 15 feet), and so on.

Every nation should have attached to its Hydrographic Service small vessels especially fitted for and adapted to blowing-up or otherwise destroying dangerous derelicts. Reports of the existence of these dangers to navigation should be regularly made, as they are to the Division of Marine Meteorology of this office, and their location and general drift shown upon some such publication as our own Pilot-Chart, whence they could be easily followed and destroyed.

Searching for doubtful Dangers. — These "doubtful dangers" have always been a bugbear to navigators, especially in the Pacific Ocean, owing to contradictory reports as to position and conflicting evidence as to their existence.

In the original Reports, the chief trouble lay with the disagreement of the Dutch Charts with those of other nations, but latterly they have adopted the same longitude as the British Admiralty.

Duplication and discrepancies doubtless arose in the position of these dangers, depending upon the authority used. Since the telegraphic determinations of longitude, in 1881-82, in the East Indies, China, and Japan, discrepancies in the positions of actually existing dangers should not occur.

If a plan could be agreed upon whereby the Pacific could be divided into districts, and apportioned among the various Naval Powers represented at the Conference, and a thorough survey of such allotted positions be made by each, this question could be definitely settled, a source of doubt removed, and a feeling of security obtained in the navigation of these waters. The division of labour, cost, and responsibility could be easily arranged. In spite of the fact that the Atlantic Ocean is so well surveyed, many doubtful dangers exist there as well, and this service should be so extended as to include all the waters of the globe.

Very respectfully,
(Signed) CHAS. M. McCARTENEY,
Lieutenant, United States' Navy.

I propose that each nation shall keep clear of wrecks and other obstructions to navigation her own shores and the shores of her dependencies out to the 100-fathom line; and that the work of investigating reported dangers and removing wrecks and derelicts on the high seas of the world, outside of this line, be assigned to contractors by oceans, and be paid for by all the nations carrying on trade upon such ocean in combined proportion to the tonnage afloat and to the commerce carried on in importation and exportation.

A proposed geographical apportionment is also submitted. In this the principle is supposed to hold good that each maritime nation is bound to remove all wrecks and derelicts which are dangerous to navigation, and also to verify or disprove the existence of any doubtful dangers reported in the past or future whenever such wrecks, dangers, or derelicts are situated within miles of its main coasts, or a like distance from any of its off-lying islands. Outside of this mile limit, the ocean, according to this scheme, is to be regarded as international region, and on the Map the districts have been allotted by taking into account the resources of the respective Governments and their facilities for reaching the allotted region from the home or the colonial stations.

The inner, or mile, limit has not been indicated generally on the Map, as it is supposed to apply equally to all coasts and islands, except in cases where the nation or Government controlling a coast is known to be without a navy, and without sufficient resources to do the work efficiently. In such a case the Government to which the district contiguous to the mile limit is assigned is to do the work on such conditions as may be satisfactorily arranged between the two Governments involved.

It is not claimed that the details of such a plan are here presented; the object has been to present the apportionment in general form, so that it may be available as a basis for the discussion of such a plan.

Very respectfully,
(Signed) G. W. LITTLEHALES.

Opinion of Wm. C. Whittle, Captain, Bay Line Steamer "Georgia."

(*a.*) A uniform method of reporting wrecks and derelicts.

As all maritime legislation should have for its object the removal of dangers, everything tending to secure that end should be done.

All vessels, on arriving in port, should report the position of any source of danger, and, as far as possible, its condition.

In case of a derelict, any vessel removing or destroying (if not worth saving) such a source of danger should be remunerated for it.

In the urgency for expedition in trade, it would be unreasonable to expect, unfair to require, and impossible to enforce upon any trader the delay and expense, solely *pro bono publico*, the work that action in this matter would necessitate.

It should be required of the merchant-vessel to report obstructions of any character, and the duty of taking further action should devolve on the Government in such a way, and under such a system, as their concerted wisdom should determine.

(*b.*) It is not an easy matter to determine an equitable system among maritime nations as to expense, responsibility, and labour of searching for, locating, or removing derelicts or dangerous obstructions, but it would seem but just that all such expense, &c., no matter by whom incurred, should fall on the nation in the service of whose citizens the derelict was employed. A fund to meet such obligation should be provided by law, and expended under direction of a legally established authority.

A coastguard of Government vessels for searching out such derelicts, and taking action upon their being reported, should, in my judgment, be established, and a system of telegraphing such reports, with position, &c., to the nearest port to the locality of the obstruction, should be arranged for.

Extract from Letter written by Edw. Gittins, Secretary of the Mersey Docks and Harbour Board.

Information as to wrecks within the port of Liverpool is at once given to the Pilotage Office in this city, and by telegrams to the outlying pilot stations.

A wreck is denoted by a watch-vessel and a wreck-buoy, both painted green, with the word "Wreck" marked thereon in white letters. Owing to the narrow tidal waters of the river and the approaches thereto, these are stationed in the tidal line of a wreck.

Provision is made in the Rules hereinbefore referred to with regard to the signals to be displayed by vessels marking the position of wrecks.

Obstructions to the navigation of the port of Liverpool are dealt with by the Mersey Board under the powers conferred upon them by section 11 of "The Mersey Docks Act, 1874."

Under an Act which has just been obtained by the Mersey Board, the Marine Surveyor is required to certify that, in his judgment, a wreck is an obstruction to the safe and convenient navigation and use of the port, before the wreck can be dealt with by the Board.

Report of D. T. Terrill, Ensign, United States' Navy, in charge of Branch Hydrographic Office, Portland, Oregon, concerning Opinion of seafaring men whom he has interviewed.

The reporting system of the United States' Hydrographic Office gives universal satisfaction. Every master should be required to report position of all wrecks sighted by him to the Consul of his Government in foreign ports, and to the nearest Hydrographic Office in home ports.

Each naval squadron should have a vessel specially fitted to destroy obstructions to navigation.

(*b.*) No suggestions made.

Lists of Collisions of Vessels with Derelicts in the North Atlantic since January 1889.

1. *April* 20, 1889.—Lat. 38° 10′ N., long. 66° 30′ W., British steam-ship "Cuban" ran into a water-logged vessel. Had one plate bent by the blow; cut into the derelict about 13 feet.

2. *June* 28.—American schooner "John S. Davis," in lat. 34° 42′ N., long. 64° 18′ W., collided with a large three-masted vessel. The "John S. Davis" rebounded after collision and passed within 5 feet of her. In the morning found a small piece of spruce-pine stuck in the bows.

3. Schooner "W. B. Herrick," of Boston, with cargo of oak staves, from Portland, for Cardenas, Cuba, struck a derelict at 4 A.M. on the 29th January, 365 miles W.N.W. of Bermuda, apparently the wreck of a three-masted schooner, with mainmast and mizenmast gone and foremast standing. It was blowing hard from N.N.W. at the time, and the schooner was running under a two-reefed mainsail only, in a high sea, when she struck the derelict bow on, shaking the vessel from stem to stern. After pushing the obstruction away, 2 feet of water in the hold were discovered, with the water rapidly increasing against the continued pumping of captain and crew, the vessel soon water-logged and filled the cabin, galley, and forecastle, and the heavy seas continually washing over the decks, so that only the after-house was left dry, on which the captain's wife, a few stores, and the boat's gear were placed. On the 1st February, at about 4 A.M., made signal to a passing steamer, supposed to be the steam-ship "Orinoco," for New York, which lay by the schooner for some time in the dark, but later on became separated. No other vessel sighted. The island was made on the evening of the 2nd instant, and the schooner towed into anchoring on the 3rd, all on board completely exhausted, having lived on such canned goods as available, and on some brackish water. The provisions and water had been lost; the deck-load and everything about the deck having been sacrificed in the first endeavours to keep the ship afloat.—"Bermuda Royal Gazette," 5th February, 1889.

4. *October* 15.—British schooner "Forest Fairy," in lat. 40° 59′ N., long. 33° 40′ W., struck and passed over a submerged wreck, doing considerable damage.

5. *December* 16.—Schooner "Cornelius Hargraves" collided with a capsized vessel near Cape Henry. Put into Norfolk and discharged some of her cargo of coal. Not much damage done.

Extract from "Memorandum prepared by the Committee of the Second Northern Maritime Conference." Copenhagen.

International Agreements for preventing the Dangers of Floating Wrecks.

The discussion mentioned in the introduction, p. 2, on the question: "What can be done to diminish the danger which threatens the navigation by floating wrecks?" led to the result that the following Resolution was passed:—

"That the Committee of the Conference should recommend to the Governments of the Northern States the issuing of instructions to their men-of-war similar to an order issued by the British Board of Admiralty, which runs thus:

"'Should any of Her Majesty's ships fall in with any water-logged vessel abandoned at sea, and constituting a danger to navigation, the same should be examined, and unless it appears that the cargo is composed of such large balks of timber as to be of themselves a danger if released to float, or unless the position of the wreck is such as to make it probable that she may be presently towed into port, every effort should be made to sink or otherwise destroy her; and that this Resolution should be brought to the knowledge of the Maritime Congress which is to be held in Washington in April 1889.'"

In doing this the Committee think it advisable to add the following main points of the said discussion:—

"The desirability of the introduction of an international agreement whereby the above-named British arrangement could be universally adopted, was shown, by statistical data extracted from the excellent and most useful "Pilot Charts of the North Atlantic Ocean," published monthly at the United States' Hydrographic Office, and which are sent, free of charge, to mariners on application to the Hydrographer at Washington.

The yearly increasing number of reported floating wrecks seems to be quite astonishing, viz.: in 1884 the number was 162; in 1885, 176; in 1886, 215; but in 1887 the number amounted to 305. It is evident that such numbers of derelicts constitute a most dangerous obstruction to the navigation; the more so as the longevity of some derelicts has been proved to be almost incredible; for instance, a schooner, "Twenty-one Friends," which was abandoned in March 1885 has been reported twenty-two times, the last time in December same year; the drift of this derelict in eight months ten days has exceeded a distance of 3,500 miles. Another derelict, the Italian barque "Vicenza Pirota," which was abandoned in September 1887, has been reported eleven times, the last time at the end of April 1888, having thus drifted upwards of seven months, and was then apparently in a good condition, and being directly in the track of commerce, it is probable that she will continue to be reported for a long time. To the dangers derived from derelicts must now be added the drifting logs of the great Canadian timber raft, dense masses of which are still to be met with in the Gulf Stream. This timber raft, which was lost in December 1887 on a voyage from Nova Scotia to New York, consisted of about 27,000 logs from 30 to 100 feet lengths, chained together in the form of a cigar. This sea monster had a length of 560 feet, breadth 65 feet, depth 38 feet, draught of water 19 feet, weight about 1,100 tons. According to the latest reports, parts of it have drifted in five months at a distance of about 1,560 miles. From an international standpoint, it is rather startling to see that nothing can be done to prevent a single individual from sending to sea, for the sake of gain, such an unseaworthy monster, which for a long time will make the navigation of the whole North Atlantic Ocean unsafe to the ships of all nations.

In connection with these remarks there was, naturally enough, given some statistical data, extracted from the monthly lists of shipwrecks, &c., published by the "Bureau Veritas." It was hereby shown that from 1884 till the end of 1887—that is, in four years—176 sailing-ships and 23 steamers had totally disappeared in the North Atlantic Ocean. There must certainly be a great probability for the supposition that many of these ships, whose fate ever will be unknown, have been lost by collision with floating wrecks, as it appears from the remarks in the "Pilot Charts" that not a few cases of collision have occurred from contact with abandoned water-logged timber-ships, after which, for instance, four of the ships were abandoned in a sinking state, though the crew was saved.

At the Conference in 1887 held in London by the Association for the Reform and Codification of the Law of Nations, a question intimately connected with this matter was treated in a very interesting manner by Rear-Admiral Colomb, viz.: "Under what circumstances is it justifiable to destroy shipping property at sea?" and where the following Resolution in this respect was adopted:—

"That in the opinion of the Conference derelict private property at sea ought only to be destroyed where there is an evident danger to navigation and the vessel is unlikely to be salved."

From the examples cited, it seems that the best manner to destroy a derelict is by blowing her up, as the burning of such wrecks, particularly when they are water-logged timber-ships, often has failed.

In the said "Pilot Charts" are also for every month laid down special "Transatlantic Steam-ship Routes" for eastward- and westward-bound steamers. The hope expressed on p. 11, that the plan as to "Ocean Lane Routes," originally proposed by the world-renowned American scientific navigator, Lieutenant Maury, will have the support of the honourable Congress, seems, therefore, to have got the very best basis.

Finally, the Committee of the Second Northern Maritime Conference avail themselves of this opportunity to conclude this Memorandum with an expression of their sincere thanks to the Government of the United States for the benefit bestowed to the navigation of the North Atlantic Ocean by the publishing in the said liberal manner of the above-named invaluable "Pilot Charts."

Copenhagen, September 1888.

General Division XI.

Notice of Dangers to Navigation.

Notice of Changes in Lights, Buoys, and other Day and Night Marks.

(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations—to include the form of "Notices to Mariners."

(*c.*) A uniform method of distributing this information.

All notices of changes in lights, beacons, buoys, and other day and night marks, require not only to be brought to the notice of the public of that country in whose waters these changes have taken place, but also to all other maritime nations, so that the authorities may be enabled to impart information for the benefit of their own seafaring population.

This is usually done by publications to which the generic title of "Notices to Mariners" has been applied. They are either issued whenever occasion demands it, or at regular intervals, with an extra edition when necessary.

They may further be divided into (*a*) those published by the Department of Naval Affairs of the different countries, or, under its direction, by the Hydrographer; (*b*) those published by the authorities, central, provincial, colonial, or local, in charge of the light-houses, beacons, and buoys.

The publications mentioned under (*a*) are intended for the use of the mariner only, and the Committee do not consider it advisable to insist on any change regarding form or arrangement of "Notices to Mariners."

What has been said regarding the publications mentioned under (*a*) is true as well regarding those mentioned under (*b*). These "Notices to Mariners" are mainly intended for internal and local use in each country, and supply information not to mariners only, but to local officials, such as light-house keepers, inspectors of buoys, and others; and, considering that they are published for very different objects, and to be used by men of very different classes and occupations, the Committee do not consider it feasible to insist upon uniformity in matters of detail.

(*a.*) *A uniform Method of taking Bearings, of designating them (whether true or magnetic), and of reporting them.*

Taking Bearings.—In all countries, as far as we know, except Italy and Norway, the custom prevails that all bearings in "Notices to Mariners," and in "Light Lists," in order to locate a danger or to determine the limits of a light-sector, are given from seaward, that is, from the danger indicated toward the fixed objects by which its position is determined, or from the outer limit of visibility of a light towards the light-house.

This mode of taking bearings has the advantage that it is in agreement with the mode in which they are used by the mariner, and the Committee recommend that the Resolution in this behalf appended to their Report be adopted by the Conference with a view to this custom being made universal.

Designating Bearings, whether true or magnetic.—The adoption of a uniform method of designating bearings, whether true or magnetic, offers the advantage that bearings given in the publications of any country can be transferred *verbatim* to similar publications issued in any other country without the necessity for any alteration or calculation. This is of importance in preparing publications the value of which depends in no small degree on the possibility of issuing them immediately after any changes have been made which require to be notified to mariners.

All the evidence, however, which has been laid before your Committee tends unmistakably to the conclusion that it would be inexpedient for any country suddenly to adopt a new system of designating bearings in the place of one which has been sanctioned

by the custom of many years, and has become an essential part of the system of navigation generally adopted and taught in the nautical schools of the various countries.

It has also to be borne in mind that such a change concerns not only experts and scientific men who can easily understand and adapt a new system to their requirements, but, in the vast majority of cases, it would affect seamen whose knowledge of matters regarding navigation is inseparably connected with the methods with which they have been familiar all their lives, and to whom any change of the kind indicated would be confusing and dangerous.

For these reasons the Committee do not propose the adoption of a uniform method of designating bearings by giving them either true or magnetic.

Uniformity might have been attained in another way, *i.e.*, by giving bearings both true and magnetic. It was shown, however, that the advantages of such a plan would be more than counterbalanced by a large increase in the bulk of the text, and by the possibility of errors amongst seafaring men unaccustomed to any but a single system, and who might mistake one set of bearings for another when read in a hurry.

Having regard to these difficulties, the Committee do not propose to advise any action in this matter in the direction of uniformity beyond recommending that in all "Notices to Mariners" and "Light Lists" intended for exchange with other nations, whenever true or magnetic bearings are given, the variation shall be inserted.

Bearings to be given in Degrees, or in Points and fractions thereof.—It seems that in the majority of maritime nations the custom prevails that all bearings are given in degrees. This has the advantage that if the variation, which is always expressed in degrees, has to be applied in order that the bearings be entered on a chart, or when the variation has to be corrected for time elapsed since the date when it was determined, the result is more accurate than if the bearings were expressed in points.

On the other hand, it has to be borne in mind that the "Notices to Mariners" and "Light Lists" which are most universally used retain the custom of giving bearings in points and fractions thereof.

After a full discussion of this large and intricate question, the Committee decided to adopt the following Resolution:—

That the bearings for cuts of different coloured sectors of lights, or of bearings of lights defining a narrow channel, should be expressed in degrees where practicable.

Counting the Degrees.—The custom adopted universally in geodesy is that of counting the degrees, from the north to the right (or with the sun), beginning with 0 to 360 degrees. In one country the steering compasses are also so marked; and directions with reference to the course of the vessel are so expressed. This method offers certain advantages, but it is contrary to the custom of the large majority of mariners, and on this account the Committee propose that the number of degrees used in designating bearings should be counted from north and south to east and west, beginning with 0 and ending with 90 degrees.

North and south are universally designated by the letters N. and S. But east is in some countries designated by the letter O, and west in others also by the same letter—O. In order to make these designations uniform the Committee propose that all countries adopt, for use in the publications under consideration, the letter E. to designate east and the letter W. to designate west, in uniformity with the Rules adopted already for publications of Meteorological Offices.

Designating Distances.—The Committee advises that—

Distances should be expressed in nautical miles and fractions thereof.

The word "cable" should mean a tenth part of a nautical mile.

(*b.*) *A uniform Method of reporting, indicating, and exchanging Information by the several Maritime Nations, to include the Form of Notices to Mariners.*

1. *Reporting Dangers to Navigation, Change of Lights, &c.*

Reports of dangers discovered should be made as promptly and accurately as possible, and should be addressed to the proper authorities. This has been pointed out already in the Committee Report upon General Division X.

2. *Indicating Dangers, Changes of Lights, &c.*

(*a.*) Several countries refer the longitude given in the publications under consideration to a prime meridian, whose difference from the meridians of Greenwich or Paris, on

which most charts in use by mariners are constructed, may be unknown to a sailor. In such a case, though he may have become acquainted with the fact of the discovery of a danger, the establishment of a light-house, &c., he may be unable to enter such information, with sufficient correctness, on his chart.

The Committee, therefore, propose that in all notices which refer to any other prime meridian but that of Greenwich or of Paris the difference in longitude between such meridians should be inserted.

(*b.*) The visibility of a light is given in different ways. In some countries the number of miles given refer to the visibility of light in clear weather or in ordinary weather; in others, the visibility refers to a mean state of the atmosphere, *i.e.*, one which may be expected at that particular locality in 50 cases out of 100. The Committee had not sufficient evidence before them to decide as to the advantages of the two plans for general adoption; they, however, consider it desirable to bring the subject before the Conference in order that the attention of the different Maritime Powers should be called to it.

(*c.*) In some "Light Lists" the geographical range of a light is given, *i.e.*, the distance resulting from the height of a light above high water, in connection with the curvature of the earth, together with or without the additional distance calculated for an observer supposed to be elevated above the sea at a certain height; in other "Light Lists" the actual visibility of a light is given without any regard to the height of the light or the elevation of the observer; in some publications the lesser of the two distances is given, and in other cases both together.

Each of these methods offers some advantage, and it seems inexpedient, at the present moment, to propose uniformity in this respect.

It appears advisable, however, to adopt a standard height for the observer wherever the geographical range of a light is given in "Light Lists" or in "Notices."

The Committee therefore propose that the height of 5 metres be generally adopted in all countries where the metric system is in use, and that in other countries, where this is not the case, the height taken should be 15 feet of the measure of the country. This height seems to the Committee the best suited to the present requirements of navigation. The difference between these measures is of no practical importance.

(*d.*) The lights of light-houses are classified at present in "Orders," according to the size of the lantern, or, if dioptric, according to the diameter of the apparatus, though, in this respect, there exists considerable difference.

Since the introduction of the electric lights this classification has become inaccurate, and from a seaman's point of view misleading, for under its rules a 3rd order electric light generally is much more powerful than a 1st order oil or gas light. Uniformity in this respect is desirable, and the Committee therefore propose that the several Maritime Powers interested should be requested to consider the question in order to establish, if possible, a uniform classification of lights on the basis of the power of the light as seen by the mariner. At the same time it would be desirable to bring about a uniform classification as regards their character.

3. *Exchanging Information by the several Maritime Nations.*

It has become the custom for the Hydrographic Offices of the different maritime countries, with few exceptions, to ask for any information regarding their publications ("Notices to Mariners," "Light Lists," "Charts," "Sailing Directions") by direct application to the Hydrographic Offices of other countries, and to give such information in the same way.

It is not easy to see how this information could be so speedily and conveniently given in any other way. But the Committee are not aware that this usage has ever been sanctioned by the proper authorities. They have on this account thought it well to call the attention of the Conference to this fact, and they submit that permission to exchange information regarding these publications direct, without the intervention of the Foreign Offices, should be granted to all Central Hydrographic Offices in the home countries as well as those in the provinces, Colonies, and dominions, and also to those Central Offices which administer the light-houses, beacons, and buoys of a country, and which publish such information. A list of the offices referred to in this paragraph, which are known to the Committee, will be found in Appendix (B).

Some Maritime Powers are without any special Hydrographic Department. In such cases it would be well to designate some other office, for instance that of Harbour-master of their principal ports, who could be addressed if occasion occurs.

In some countries the "Notices to Mariners" are published only in newspapers.

It would be well if such Notices were sent to the different Hydrographic Offices of the world.

Contemplated changes in lights and buoys should be brought to public notice, if convenient, before the date on which such change is proposed to be made.

(*c.*) *A uniform Method of distributing this Information.*

The information contained in "Notices to Mariners" is now brought to the knowledge of the seafaring population by sending copies of the same to the different shipping offices and Consulates, and to Captains of the navy, and to masters of the merchant fleet. The Committee have no evidence before them which points to the fact that the measures taken by each country do not fully satisfy the requirements of those interested.

Resolutions proposed to the Maritime Conference regarding General Division XI.

In recapitulation, the Committee recommend the Conference to invite the several Maritime Powers to consider the following Resolutions with a view to establishing uniformity in the subjects treated in "Notices to Mariners" and "Light Lists":—

1. That all bearings should be given from seaward.
2. That the bearings of cuts of different coloured sectors of lights or bearings of lights defining a narrow channel should be expressed in degrees where practicable.
3. That all bearings expressed in degrees should count from north and south, from 0° to 90°, towards east and west.
4. That in designating bearings, the letter E. shall designate east, and the letter W. shall designate west.
5. That whenever bearings are given, the variation of the compass at the place should be stated.
6. That distances should be expressed in nautical miles and fractions thereof. The word "cable" should mean the tenth part of a nautical mile.
7. That whenever the longitude of a position is given, it should be stated which prime meridian is adopted, and, if other than that of Greenwich or Paris, the difference of longitude should also be stated.
8. That, in defining the visibility of a light, it should be stated whether the distance is for "clear" or "mean" state of the weather.
9. That where the geographical range of a light is given, it should be calculated as seen at high water from an observer 15 feet or 5 metres above the sea.
10. That a uniform classification of lights, based on luminous intensity and on the character as seen by the mariner, should be adopted.
11. That the Central Offices that issue "Notices to Mariners" or "Light Lists" should be permitted to correspond direct on such subjects.
12. That from countries where "Notices to Mariners" are published only in newspapers, copies of such papers should be sent to the various Hydrographic Offices.

Appendix (A).

REPORT ON GENERAL DIVISION XI.

Notice of Dangers to Navigation.

Report of Ensign George P. Blow, United States' Navy, in charge of Branch Hydrographic Office, New York City, on General Division XI.

"(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them."

All bearings should be taken with an aledade placed directly over the compass, if possible. If not possible, however, the bearing should be carefully taken with respect to the ship's head, noting carefully the compass course at the same time, and, after being verified, should be referred to the compass.

All bearings should be magnetic, and should be given in degrees and minutes of arc from north or south around to east or west. Thus, N.N.W. would be N. 22° 30′ W. and S.W. by W.S. 56° 15′ W.

"(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations, to include the form of "Notices to Mariners.'"

As previously stated, a Telegraphic Exchange should be established for the purpose of forwarding valuable information. Less important information could be sent by regular mail, as is now the case. The information thus received should be distributed according to its value and importance. Thus, storm warnings should be telegraphed to all the coast cities in the country, while notice of anticipated changes in lights would be given to the press and also issued in the regular way, as "Notices to Mariners."

The present form of "Notices to Mariners" issued by the United States' Hydrographic Office fills all the requirements and has given general satisfaction. It is to be regretted, however, that there are two kinds—one issued by the Coast Survey, and another by the Hydrographic Office—even in this country. For the sake of simplicity, economy, and uniformity, only one set should be published. If the "Notices to Mariners" of each country could be published in English, French, and German, their value would be greatly increased, as they could be read and understood by nearly all ship-masters.

"(*c.*) A uniform method of distributing this information."

Information received by the different Governments will be utilized in the way in which seems most desirable by the officials charged with that work. It is believed to be impossible to secure uniformity in this respect, although it is greatly to be desired.

Reports submitted by the United States' Hydrographic Office on General Division XI.

(*a.*) A uniform method of taking and reporting dangers should be used, as above stated. With us, and the French as well, the true bearing is used; it is the most economical, and, could dependence always be placed upon the accuracy of the observer reporting, it would be preferable.

But while to the educated navigator there should be no chance of wrong application of the variation, the generality of the merchant marine have a deep-rooted aversion to the use of true bearings.

The variation changes so slowly that the smallest change in the text of a Report or book of sailing directions as to courses and bearings would vary so little (less than $\frac{1}{8}$ point, or about 1°) that the best instruments used in modern navigation would hardly detect it in less than eight years in Great Britain and North-West Europe; fifteen years in the North Atlantic Ocean and the United States; twenty years in the South Atlantic Ocean; forty years in the Indian Ocean; and of fifty years in the Pacific Ocean (data obtained from Mr. Littlehales). Of course there are many arguments for and against the use of both; but I think that possible errors would be avoided by the use of the magnetic bearings.

(*b, c.*) The Consular Service would be of great value in reporting, indicating, and exchanging information. If regular Reports were made and forwarded to the various Hydrographic Offices by the Consuls in the seaport cities, much would be done towards the universal dissemination of nautical information. Ship-masters could obtain the printed Reports in the form of "Notices to Mariners" from the Maritime Exchanges, Boards of Trade, and such like institutions, as is done in our country through the medium of the branch Hydrographic Offices, which have done so much to spread this knowledge. It should be part of the Consular duty, not left to his volition, but compulsory, to send weekly Reports, which would be transferred to the Hydrographic Offices, and thence issued in the form of notices and extracts, of which, I think, our own system is an excellent illustration.

As to General Division XII (*a*) and (*b*), a uniform system in colour and numbering of buoys and beacons will be adopted, and it is practically almost generally agreed to and in use over the world, especially as to the main features common to all in marking channels, &c.

Very respectfully,

(Signed) CHAS. M. McCARTENEY,

Lieutenant, United States' Navy.

The mariner is principally concerned in making the land and in taking his departure from it, and in entering and leaving port. All lights, beacons, buoys, and land- and sea-marks are established as means to these ends.

In general, the directions for making use of these signals and guiding marks are arranged for approaching the land and entering port, and the reversing of them serves for departing. In conformity, then, with the methods of giving directions in general, it seems expedient that all bearings having reference to marks for navigation should be given from seaward. And as a further amplification of this uniform method, all bearings taken upon fixed objects for the purpose of locating wrecks, shoals, and the like should also be given from seaward, thus:—

Rock awash, Morro Castle, Havana, S. $\frac{3}{8}$ W., $6\frac{1}{4}$ miles.

Sunken wreck, Isle of Wight light-house, England, N.E., 10 miles.

The virtue of the use of the true bearing in nautical books and charts appears only when the subject is viewed from the stand-point of economy. But it is questionable whether economy can be successfully urged as an argument in its favour. As the direction of the magnetic meridian at a given place changes with the lapse of time, angular values of fixed directions referred to it must also change, and make corrections necessary in books and on charts where these directions are set down.

The expense and labour of making corrections on charts from this cause is inconsiderable, and, if the argument has any force, it must be with reference to books. It would be laborious and expensive to correct the bearings and courses in sailing directories by hand; and it is believed that the changing of these bearings would entail quite as much expense, if new editions of books were issued, through these changes in the text alone. If, however, the change which occurs in the direction of the magnetic meridian, and consequently in the value of a magnetic bearing or course, during the lifetime of an ordinary book of sailing directions is not sufficient to alter appreciably the reading of the text, then, as far as concerns nautical works, which are overhauled and reissued from period to period, the true and magnetic bearings stand upon the same footing with regard to the necessity for change. Let us suppose that, in a given book, the bearings all read to the nearest one-eighth point. The smallest change of which the text of this book could take account may be assumed to be somewhat less than one-eighth of a point, say one degree. This book could then be said to need change, as to the bearings and courses given in it, by an amount which the best instruments used in modern navigation could detect, at the end of eight years in Great Britain and North-Western Europe; of twelve years in the South Atlantic Ocean; of fifteen years in the North Atlantic Ocean; of twenty years in the West Indies; of forty years in the East Indies; and of fifty years in the Pacific Ocean.

The most rapid changes in magnetic bearings happen, at this secular period of the earth's magnetic state, to have their seat where there is the greatest activity in those changes of which nautical directories take cognizance; and it is probable that a volume of sailing directions embracing the British Isles would need extensive revision, amounting almost to a rewriting of the work, at the end of eight years, from the accumulation of necessary corrections not brought on by changes in the magnetic bearings.

All manuals on the deviation of the compass, and all graphical and mechanical methods of applying the deviation of the compass, at least in English literature upon this subject, proceed upon the assumption that the magnetic bearing or magnetic course is to be found, and not the true or astronomical, and, therefore, that it is the magnetic which is given in sailing directions.

Probably the most useful and most universally known graphical method of changing the distorted readings of a compass under the local influence of a ship's magnetism to a standard condition in which it is comparable with all other bearings is Napier's diagram, which is arranged solely for the conversion of compass into magnetic courses, and the reverse. Such graphical processes as this are arranged for safe and efficient usage amongst men possessed of a minimum of theoretical knowledge, to which class the great majority of seafaring men belong. While it may be an easy matter for such men as we find performing the duties of navigators in the navies of the world so far to generalize the method employed in Napier's diagram, or any other device, as to pass from compass to true course, and the reverse, by using the total error instead of the deviation alone, yet it is manifest that this is not to be expected of mariners in general.

Sailing directions and charts should conform to the ideas and methods advanced in standard nautical educational works.

Very respectfully,
(Signed) G. W. LITTLEHALES.

Opinion of Wm. C. Whittle, Captain, Bay Line Steamer "Georgia."

"Notice of changes in lights, buoys, and other day and night marks."

Whenever it shall be deemed expedient to change any of such marks, whose existence is known as a guide to navigators in coming into any port or on any coast from sea, a notice of such change should be given to an "International Maritime Commission" ninety days before such change is made, so that all foreign Boards of Trade can be notified and all vessels warned. A similar notice should be given to the Board of Trade in the country in which the contemplated change is made.

In the inland waters of any country, where any such change is contemplated, a notice of at least ——— days before such change is consummated should be given.

All foreign vessels should be required to take a pilot, and by that means avoid the dangers resulting from inland changes.

(*a.*) A uniform method of taking bearings, designating and reporting them.

It is to be accepted that every navigator knows the error of the compass by which he navigates, and it would greatly simplify the proper promulgation of the information if he would reduce all bearings taken to the true bearing, freed from magnetic deviation or error of his compass, so that any navigator or master receiving the report, and, in turn, knowing the error of his own compass, can reduce the reported bearings to his compass bearings and be guided thereby.

(*b.*) Under the International Code of Signals all vessels should be empowered and required to give any and all assistance to others in giving notice of dangers, changes, &c.

(*c.*) A uniform method of distributing information would be for all Boards of Trade, Light-house Departments, Coast Surveys, and Boards of Marine Inspectors to communicate with the "International Maritime Commission," upon whom the duty of cognizance and action should fall in any changes and causes of danger.

Opinions and Suggestions of various experienced Mariners obtained by Sergeant Paul Daniels, United States' Signal Service.

An international and uniform method of taking bearings, of designating and reporting dangers to navigation, changes in lights, buoys, and other day and night marks, also an international and uniform

method of reporting, indicating, and exchanging information by the several maritime nations, to include the form of "Notices to Mariners," as well as an international and uniform method of distributing this information, should be adopted. All bearings and their designation should be true and not magnetic.

Report of D. T. Terrill, Ensign, United States' Navy (in charge of Branch Hydrographic Office, Portland, Oregon), concerning Opinion of seafaring men whom he has interviewed.

(*a.*) Bearings should be given by vessels in points and eighths, magnetic, and by Government offices in degrees and minutes, true. Whenever points are used let magnetic bearings be understood, and where degrees are used let true bearings be referred to.

(*b.*) The United States' Hydrographic Office form of "Notices to Mariners" are all that could be desired, and give universal satisfaction.

(*c.*) Through Branch Hydrographic Offices is the only practicable method.

General Division XII.

A uniform System of Buoys and Beacons.

(*a.*) Uniformity in colour of buoys.

(*b.*) Uniformity in numbering of buoys.

Owing to the absence of a uniformity in buoyage, mariners, up to very recent times, seldom attempted to navigate a district by means of the buoyage unless they were specially well acquainted with the local system. But now that a certain degree of uniformity on a fundamental basis prevails, mariners in general are more induced to navigate their vessel, trusting to it and the chart of the district; it therefore becomes of greater importance that such uniformity should be extended as far as possible.

Two principal characters are used for distinguishing buoys and beacons, colour and shape.

The first object to be attained from an international point of view is uniformity. For that purpose colour is the best means, as applying to all systems of whatever kind, while the shape admits numerous exceptions. The colour is also applicable in all countries and with little expense, whereas the immediate adoption of shape would involve changes of several existing systems. Moreover, experience has proved that very many, if not the majority, of channels are now buoyed with sufficient distinctness without resorting to difference of form.

For these reasons, and while the opinion prevails that, at night and in thick weather, difference in form is a better means of distinction than difference of colour, your Committee advise that uniformity in colour should be adopted as a general rule, and that the use of shape should remain optional.

While, in the opinion of some members, the single colours of black and red are not so distinctive in contrast as a single colour used in connection with a parti-colour, experience gained in many buoyage districts, and particularly where used in conjunction with form, has proved that these dark colours are sufficiently distinctive for the safe navigation of districts where a more complicated system is not necessary. Single-coloured buoys are also more readily and cheaply repainted than parti-coloured buoys. We therefore recommend that the largely used red and black colours should be adopted generally for marking respectively the starboard and port sides of single channels.

Many districts, however, require a more complicated system of buoyage to identify the several neighbouring channels one from the other, such as the entrances of rivers with numerous channels like the Thames, the outlying shoals of the coast of the North Sea, the numerous shoals separated from each other by complicated channels such as in the Baltic Sea, &c.

In some of such districts a parti-coloured buoy is used with much advantage as a port-hand buoy. In a few—notably in England—a single black colour is used as a starboard-hand buoy. Inasmuch as a single black colour is in general use as a port-hand buoy in neighbouring districts visited by the same shipping, we suggest that the authorities of such countries should be invited to consider the great general advantages to shipping that would result from the adoption of uniformity in colour by discontinuing this dangerous custom of using a black colour to denote a starboard-hand as well as a port-hand buoy.

In some countries white is used as a distinctive colour, and with advantage when

contrasted with a dark background. As this practice cannot lead vessels into danger, we hesitate to advise that it should be compulsorily interfered with.

We are of opinion that where form is adopted the two shapes "Conical" and "Can" are appropriate for marking the starboard and port sides of a channel, a spar-buoy taking the place of the can in certain cases.

These forms are practically used in the United States, Germany, Canada, India, and Great Britain. But the various countries are not all in agreement as to which side of the channel is to be marked by a conical buoy and which by a can or spar-buoy.

It follows that one or more of the countries would necessarily have to rearrange their system, but, if the work were done gradually, the Committee believe that this could be performed at a minimum of expense in no way comparable with the great advantage that would result to navigation.

In connection with such a change of system we are informed that an extensive rearrangement in buoyage was recently carried out by Great Britain, the different shapes being changed from one side of the channels to the other side, the change being brought about without any casualty to navigation.

As regards top-marks, we recommend that those countries whose buoyage is based on colour alone should, whenever top-marks are used to denote sides of a channel, use conical or can-shaped marks on the existing buoys or beacons.

We are of opinion that the mode of distinguishing buoys from each other by names, numbers, or letters should be left to the decision of the various countries, but that all numbers and letters should be in consecutive order, commencing at the seaward end of the district.

The Committee are of opinion that districts where the buoyage is so complicated as to have led the authorities to adopt a compass system of marking, such as in the Baltic Sea, cannot, with a view to general uniformity, be coupled with the simpler systems found sufficient elsewhere; they therefore hesitate to recommend a fundamental change in such districts. But, after studying the "Sailing Directions" and the publication of Mr. S. A. Philipsen, Copenhagen, on "Beaconage and Buoyage of different Nations," which presents graphically the plans adopted by several nations, particularly those interested in the navigation of the Baltic Seas, the Committee find that the systems now in use, so far as colour and top-marks are concerned, are so similar that they recommend the Conference to suggest to the countries interested the desirability of the adoption of one uniform system, at least as regards colour.

The Committee understand that the following are the colours and top-marks at present in use in the various districts using the compass system to define the bearing of the mark or buoy from the danger it indicates:—

Marks on the *North* side of a shoal—

Norway .... } Black.
Sweden .... }

Russia .... }
Finland .... } White.
Denmark .. }

Marks on the *South* side of a shoal—

Norway ..... White.

Sweden .... }
Russia .... } Red.
Finland .... }
Denmark .. }

Marks on the *East* side of a shoal—

Norway ..... Black.
Sweden ..... Black, with a White horizontal band.
Russia ..... Red, with White horizontal bands.
Finland ..... Half Red and half White horizontal.
Denmark .... Red.

Marks on the *West* side of a shoal—

Norway .... } White.
Denmark .. }

Russia ..... White and Black horizontal bands
Finland ..... Half White and half Red horizontal.
Sweden ..... Red.

Marks on a *Middle ground*, with Fairway channels on either side—

Norway ..... Black and White horizontal bands.
Finland .... } Red and White horizontal bands.
Denmark .. }
Russia ..... Black.

Top-marks—

On Buoys or Marks on the *North* side of a shoal—

Norway ..... Brooms turned downwards.
Russia ..... Broom or Brooms not systematically arranged.
Finland ..... A Pole without a top-mark.
Sweden ..... A Ball.

On Buoys or Marks on the *South* side of a shoal—

Russia .... }
Finland .... }
Norway .... } Broom turned upwards.
Sweden .... }

On Buoys or Marks on the *East* side of a shoal—

Norway ..... Broom turned downwards.
Finland ..... A Pole without a top-mark.
Sweden ..... A Ball.
Russia ..... Two Brooms { upper one turned upwards. / lower one turned downwards.

On Buoys or Marks on the *West* side of a shoal—

Norway ..... Broom turned upwards.
Sweden .... }
Finland .... } Broom turned downwards.
Russia .... Two Brooms { upper one turned downwards. / lower one turned upwards.

On Marks on a *Middle ground* with Fairway channels on either side—

Norway .... }
Russia .... } A Ball.
Finland ..... A Cross.

Owing to the difficulty in choosing a fourth single colour, Green being universally used to denote a wreck, it practically becomes necessary, in arranging for a general system, if four distinct modes of colouring are adopted to mark the four cardinal bearings of or from a shoal, to resort to one or more parti-colours to be used in conjunction with Red, Black, and White.

On the principle of using four colours to mark the four sides of a shoal, the Committee put forward the following scheme, based on the least change that would be necessary in altering the present systems to a uniform plan; and they recommend the Conference to bring it to the notice of the countries interested, as an example showing that uniformity is attainable if they will agree to consider the subject:—

All shoals marked on the compass system to be marked—

On the *North* side by a single Black or White colour.
South side by Red.
East side by half Red and half White combined.
West side by half White aud half Black combined.

On Rocks in Fairway, with channels on either hand, to be marked Black or Red, with horizontal bands.

If such colours were adopted, then the following changes of colour would be necessary:—

The marks on the *North* side of a shoal would remain coloured Black or White as they now are in all countries using the compass system.

The marks on the *South* side of a shoal would in—
Norway, have to be changed from White to Red.

The marks on the *East* side of a shoal would in—

Norway,	have to be changed from	Black	to half Red and half White.
Sweden,	do.	Black and White	do.
Denmark,	do.	Red	do.

The marks on the *West* side of a shoal would in—

Norway, Denmark,	have to be changed from	White	to half White and half Black.
Sweden,	do.	Red	do.
Finland,	do.	White and Red	do.

The marks on a rock in fairway, with channel on either side, if a white horizontal band is generally adopted, would in Russia have to be changed from black to black or red with white horizontal bands, in agreement with the other countries.

The Committee advise the Conference to invite the various Powers interested to consider the following general principles, which they put forward as a basis on which to build up a uniform international buoyage system for districts other than those where the compass system is in use.

The term starboard-hand shall denote that side of a navigable channel which is on the right hand of the mariner entering from seaward; the term port-hand shall denote that side which is on the left hand under the same circumstances.

Colour.—Buoys defining the starboard-hand shall be painted a single red colour.

Buoys defining the port-hand shall be painted a single black colour, or a parti-colour.

Buoys defining middle grounds shall be painted with horizontal bands.

Form.—Wherever form is used as a distinctive character—

Buoys defining the starboard-hand shall be conical, and those defining the port-hand shall be can or spar.

Top Marks.—Countries where form is not used as a distinctive character for buoys may adopt, as another distinctive feature for the buoys on either side of a channel, top-marks resembling a cone to be used on the starboard side, or a cylinder on the port side of a channel.

Numbers and Letters.—Numbers, letters, and names may be painted on the buoys, but they must never be so large as to interfere with their distinctive colouring.

Wherever numbers and letters are used they shall be in consecutive order, commencing from seaward.

Buoying and Marking of Wrecks.—(*a.*) All buoys and the top-sides of vessels used for the marking of wrecks shall be painted green with a suitable white inscription.

(*b.*) Where it is practicable, by day one ball shall be exhibited on the side of the vessel nearest the wreck, and two placed vertically on the other side; three fixed white lights similarly arranged, but not the ordinary riding light, shall be shown from sunset to sunrise.

Appendix (A).

Report on General Division XII.

A uniform System of Buoys and Beacons.

Proposed Plan for International Buoyage, by Lieutenant M. L. Wood, United States' Navy, United States' Coast and Geodetic Survey.

United States' Coast and Geodetic Survey Office,
Washington, D.C., October 15, 1889.

Sir,

I have the honour to propose the following system of international buoyage for discussion before the International Marine Conference convening in this city 16th October, 1889.

The plan proposed, while of course differing in some respects from that of any nation, will, it is believed, come as near as any towards giving a simple unmistakable method of indicating to a stranger the direction in which to move a vessel in order to maintain the best water and avoid dangers.

Owing to the difficulty at times experienced in locating a buoy by means of its colour, from peculiar conditions of light and background, any plan which will be independent of colour, while sacrificing no good characteristics, would seem to be preferable to any other which is mainly dependent upon colour as the chief feature in distinguishing buoys in entering harbours.

On the other hand, as there are times when shapes are uncertain during fogs and thick weather, when buoys are close aboard but the outlines are indistinct, a plan which relies altogether on shape

alone would seem to be inferior to a plan which admitted a distinguishment by colour while losing the benefits of no other good quality.

For these reasons, in the plan proposed it is considered an essential that the double identificatic by both shape and colour should be used when it is possible, and, in fact, this is fully provided for.

Owing to various positions of ports and channels with reference to the cardinal points of the compass, even in the same country, and possibly in the same harbour, any plan which necessitates both a reference to a compass and to a chart before its warning can be translated into the practical result of changing a vessel's course; and owing to the fact that if a buoy is placed with reference to the east and west or north and south side of the same channel, its meaning may be reversed, it would seem decidedly better to place buoys so that at all times their meanings are the same, by their indication of the right and left side of a channel, irrespective of any reference to the compass,

If buoys can be so placed that when a mariner distinguishes one ahead he will know precisely what is to be done to take his vessel in the best water, without any mental process involving even a small expenditure of time, it would seem for the best in every way to adopt such a system.

To carry out these views the following plan is proposed for discussion:—

Fairway or channel buoys to be of elongated or spar shape, except in shoal water, where nun-shaped buoys can be used, painted in perpendicular white and black stripes, to be of either wood or iron, depending upon the importance of the channel and the size required. In all cases, these buoys to indicate the channel-line or line of deepest water, and they should be passed close to on either hand.

Obstruction buoys or those marking characteristics in the channel which should be avoided, such as sunken ledges, wrecks, or points separating channels, to be nun- or can-shaped, with a perch or broom projecting from the top, painted in red and black in horizontal stripes.

These buoys to be given a good berth and passed on either side. The lower end of an obstruction with a good channel on both sides to be marked by a can-buoy with broom, and the upper end by a nun-buoy with broom. When one channel is the better, both buoys to be of the shape to indicate the side of the best channel on which they are placed.

Starboard-hand buoys in entering to be pointed-top shape, or nun-shaped, and painted red, with even numbers in white paint in main channels and black paint in secondary.

Port-hand buoys in entering to be square-topped, can-shaped, painted black with odd numbers in white paint in main channels, and in red paint in secondary channels.

Main channels to be marked by the largest sized buoys used in the harbour, secondary channels by smaller sized buoys of the same shapes, and minor channels by spar-buoys.

Sea-buoys off the entrances to harbours to indicate initial points for entering, to be either can or nun, red or black, or white and black in perpendicular stripes, with the name of the port in white letters, and to be either automatic bell or whistling buoys, depending upon locality. When a skeleton bell-buoy is used to mark the entrance to a harbour, a watch-buoy, painted either red or black, will be placed just inside the bell-buoy, with the name of the port painted in white letters.

It is quite important to reduce the shapes and colours of buoys to the minimum in order to prevent confusion, and at the same time leave no ambiguity in the directions a buoy gives to a stranger.

It will be noticed that, in the plan proposed, in channels the buoys are distinguished both by shape and colour, and that either one will locate the buoy with respect to the channel; also that when the colour or shape of the buoy is made out ahead, all there is to be done is to change the vessel's course so as to pass the proper side of the buoy, when a further identification can be made by its number when passed as close to as necessary.

There is no change of meaning in any position of the buoy, and hence no uncertainty in the way in which the helm should be shifted.

The only thing that is required to be known is whether the vessel is entering or leaving port to decide which side to leave the buoy in passing; and, in fact, if all ports were buoyed in this manner, and the buoys were in sight, it would not even be necessary to know the name of the port—all that would be necessary would be to follow the buoys as seen with the certainty that if they were properly placed the best water would be followed.

It will also be noticed that the only buoys having projections in the shape of perches or brooms are those placed to mark dangers or obstructions—the horizontal-striped buoys; the reason for this being that there will be less necessity for vessels passing close to them, and hence less danger of the perch or broom being carried away and the distinctive characteristic of the bouy's outline being lost, though, of course, the colour of the buoy would still remain.

When a buoy is placed to mark a point at the opening of a secondary channel branching off from the main channel, it is painted black and red in horizontal stripes, with a perch or broom on the top, but it can be a nun-shape to mark a point between the main channel and a secondary channel on the starboard side, and a can-buoy to mark the point between the main channel and a secondary channel on the port side of the main channel in entering from the sea.

This system includes three shapes of buoys: can, nun, and spar, or elongated.

The only colours are red, black, and red and black in horizontal stripes, and white and black in perpendicular stripes.

With these shapes and colours, if the colour of the buoys be indicated on the Charts, the shapes can be indicated by a single letter (C., N., or S.), an advantage which is quite important.

Trusting that this system may meet with approval of the Conference as an idea for discussion, if not for adoption, very respectfully.

(Signed) M. L. WOOD, *Lieutenant, United States' Navy, Assistant, United States' Coast and Geodetic Survey.*

Rear-Admiral S. R. Franklin, United States' Navy,
President, United States' Delegation, International Marine Conference.

"(*a.*) Uniformity of colour of buoys."

"(*b.*) Uniformity in numbering of buoys."

The subject of a uniform system of buoys and beacons is one of the most important questions which will be discussed by the Marine Conference. The need of a simple and uniform system of buoys has long been felt by seafaring men, and many suggestions have been made and many systems worked out to accomplish this object. Some of these systems have been too elaborate and costly to adopt. The system selected should be that which secures absolute uniformity with the fewest changes to the greatest number of Governments. Buoys and beacons should be distinguished from each other in as many ways as possible, paying due regard to economy and utility. Thus, it is not sufficient to depend upon "colour" alone, for at night, or in misty weather, colour cannot be distinguished. Buoys and beacons should be distinguished by colour, shape, number (letter or name), and, lastly, by carrying some distinctive form or shape of cage-work on the end of a short staff. This "shape," or signal, will be really the most direct and the simplest way of distinguishing the different classes of buoys. In many rivers and harbours, where buoys are subjected to rough handling or exposed to ice the paint, gets rubbed off, and colour cannot be distinguished even by daytime and under the most favourable conditions. At night and in thick weather colour cannot be distinguished at all, and it becomes absolutely necessary to provide some simple and inexpensive way of making a buoy so that it can be recognized from its shape. It is proposed, therefore, to place a "shape" or "signal" on the top of each buoy, or beacon, for the purpose of assisting still further in its identification. These "signals" must be of such a size and shape as to prevent any possibility of error, and must also be so formed as to allow the ice or other obstructions to pass over them without injuring them. For buoys, the signals should be made of cage-work, so that they will be very light, and will not afford any material resistance to the wind or sea. Light angle-iron will be the best, strongest, and cheapest material to use for this purpose. The size of the signal should depend upon the class and size of the buoy upon which it is to be placed, but, in general terms, it should be as large as the existing conditions will allow.

For beacons, the same shapes or signals should be used, but as there is no reason for limiting the weight or surface exposed to the wind, they should be made larger, and the frame should be covered in with sheet iron instead of being merely cage-work.

Speaking roughly, there are only three classes of buoys, although there are several sizes and varieties to each class. All buoys may be classed as "can-buoys," "nun-buoys," or "spar-buoys." The signals must be so designed that they can be fitted to any class of buoy.

In colouring buoys, the great majority should be of some solid colour. If a buoy is to be repainted with one colour it will not be necessary to take it up to do the work, but a small boat can be sent out, and any one can do the painting. Elaborately striped or checkered buoys would require to be taken up every time it was necessary to repaint them, and would thus greatly increase the expense and difficulty of keeping them in order.

As before stated, in selecting any system to be adopted universally, great care should be taken to select that one which will necessitate the fewest changes. The United States and Canada are bouyed on the same system, and have, together, probably more buoys than any three or four other nations. Besides this, the system closely resembles that in use in France, Scotland, and other countries. It is believed, therefore, that a modification of the United States' system will be the best to adopt for an international system. The modifications consist of the addition of signal-cages on each buoy, so as to add an additional means of identifying them. It is also thought better not to insist on that portion of the United States' system which requires nun-buoys to be used on the starboard side and can-buoys on the port side of the channel, as these buoys are frequently used for other purposes, and such a distinction is likely to cause confusion and disaster.

In providing for an international system, only the regular buoys should be provided for. Special buoys should be allowed for special purposes, but should be given some distinctive mark, which, under no consideration, should in any way resemble the regular "signals," colouring, &c.

The buoys provided for are the following:—

1. Starboard-channel buoys (to be left on starboard side on entering port).
2. Port-channel buoys (to be left on port side on entering port).
3. Mid-channel buoys (to be passed close to).
4. Obstruction buoys (channel on either side).
5. Wreck buoys (to mark wrecks, &c.).
6. Mooring buoys (for mooring or anchorage purposes).
7. Quarantine buoys (quarantine station).

The following is the system proposed:—

1. Starboard-channel buoys (to be left on starboard hand on entering port).

Colour.—Red (now used in United States, Canada, France, and Scotland, &c.), with a white horizontal band, 1 foot wide at the top (now used in France).

Lettering, &c.—To be numbered with even numbers, beginning from seaward and numbering in regular order up the river or harbour (now used in United States, Canada, and France).

Signal.—An inverted triangular pyramid, painted white, and made in the form of a cage. To be constructed of light angle-iron, and to be in altitude about twice the length of one side of the base.

2. Port-channel buoys (to be left on port hand on entering port).

Colour.—Black (now used in the United States, Canada, France, Scotland, Holland, and Belgium).

Lettering, &c.—To be numbered with odd numbers from seaward up the river or harbour in regular order (now used in the United States, Canada, and France).

Signal.—A double cone painted black, to be made of angle-iron, in the form of a cage, and to be in length about three times its greatest diameter.

3. Mid-channel buoys (to be passed close to on either side).

Colour.—To be painted in white and black vertical stripes (now used in the United States and Canada).

Lettering, &c.—To be lettered with large Roman capital letters, A, B, and C, &c., beginning from seaward and continuing in regular order up the river or harbour).

Signal.—To carry a plain white staff without any signal.

4. Obstruction buoys (to mark a shoal, middle ground, rocks, &c., may be passed on either side).

Colour.—Red and black horizontal stripes (now used in the United States, Canada, France, Scotland, &c.).

Lettering, &c.—To be plainly marked in large white letters with the name of the obstruction which it marks (now used in Scotland and France).

Signal.—A large cage-work sphere or ball (with ice guards) constructed of light angle-iron, the upper hemisphere to be painted red, and the lower black.

5. Wreck buoys (to mark a wreck or temporary obstruction).

Colour.—Solid green (used in England, Scotland, &c.).

Lettering, &c.—To be plainly marked in large white letters with the name of the wreck or obstruction which it marks.

Signal.—A large cage-work cube, secured by one of its corners. The cube to be constructed of light angle-iron, and to be painted green.

6. Mooring and anchorage buoys (for mooring purposes or to mark anchorages).

Colour.—Solid white (used in France, New York city, &c.).

Lettering, &c.—To be marked in plain black letters with its name or the purpose for which it is placed in position.

Signal.—None.

7. Quarantine buoy (for marking the quarantine limits, and sometimes for mooring purposes).

Colour.—Solid yellow (used in the United States and Canada).

Lettering, &c.—To be marked with black letters with name and object for which placed.

Signal.—None.

Beacons should be painted, lettered, and numbered on the same system, and should carry signals of the same shape. The signals should be made of light sheet-iron, however, and not of cage-work.

In the above cases it is understood that the numbers shall be "Arabic" and the letters "Roman,' so as to secure uniformity.

William C. Whittle, Captain, Bay Line Steamer "Georgia."

A uniformity in system of buoys and beacons is very conducive to safety in navigation, and while all foreign vessels should be required to take a pilot, such uniformity in buoys, beacons, &c., should be international.

(*a.*) The ordinary rule of red buoys being on the left-hand side of the channel and black buoys on the right-hand side as you descend a river or approach the ocean or bay into which it flows, is a good one, and should be international.

(*b.*) In the numbering of buoys likewise, it is necessary to maintain uniformity, with odd numbers on the right and even numbers on the left side of all channels or rivers as you descend towards the mouth or ocean. This numbering should, in my opinion, commence at the mouth of the river or bay and increase as you ascend, with the smallest number at the mouth and the largest at the highest marked point up the river.

Opinions and Suggestions of various experienced Mariners, obtained by Sergeant Paul Daniels, United States' Signal Service.

The present system of buoys and beacons, the manner of numbering them, and the colour of these buoys is satisfactory to most mariners; black and white perpendicular stripes is the best method for colouring buoys, because it is much easier to distinguish them at sea than any other colours.

Uniformity in buoyage is very desirable. Experience in this harbour also shows that it will be an improvement to have all starboard-buoys of a fixed shape as well as colour, and all port-buoys of a

different fixed shape and colour, so that a red buoy may be known as such even if it is not red, the colour having been scraped off by ice or sea-wear.

Extract from Report of D. T. Terrill, Ensign, United States' Navy (in charge of Branch Hydrographic Office, Portland, Oregon), concerning Opinions of Seafaring Men whom he has interviewed.

The United States' system of buoyage gives general satisfaction. Nun-buoys should always be found on one side of the channel, can-buoys on the other; spar-buoys on the same side as nun-buoys should have their upper ends pointed, while those on the opposite side should be squared off. All turn-buoys should have cages.

Extracts from "Beaconage and Buoyage of different Nations," by S. A. Philipsen.

In continuation of the explanation of the "International System of Beaconage and Buoyage" presented by me, I beg to propose the paragraphs in the system placed in the following order:—

1. The mariner when approaching the coast must determine his position on the chart, and must note the direction of the main stream flood-tide.

2. The term "starboard hand" shall denote that side which would be on the right hand of the mariner, either going with the main stream of flood, or entering a harbour, river, or estuary from seaward.

The term "port hand" shall denote the left hand of the mariner under the same circumstances.

3. Buoys showing the pointed top of a cone above water shall be called "conical," and shall always mark the north side of the channel.

4. Buoys showing a flat top above water shall be called "can," and shall always mark the south side of the channel.

5. Buoys showing a domed top above water shall be called "spherical," and shall always mark the east side of the channel.

6. Buoys showing only a mast above water shall be called "spar-buoys," and shall always mark the west side of the chanel.

7. Buoys having a tall central structure on a broad base, shall be called "pillar-buoys," and shall mark the outer and inner ends of middle grounds.

8. Buoys having a round "conical" structure on a domed "spherical" base shall, like other special buoys, such as bell-buoys, gas-buoys, automatic sounding buoys, be placed to mark special positions either on the coast, or in the approaches to harbours, river inlets, &c.

9. Conical buoys, marking the north side of the channel (south side of the shoal), shall always be of white colour.

10. Can-buoys, marking the south side of the channel (north side of the shoal), shall always be of black colour.

11. Spherical buoys, marking the east side of the channel (west side of the shoal), shall always be of green colour.

12. Spar-buoys, making the west side of the channel (east side of the shoal), shall always be of red colour.

13. Pillar-buoys, marking inner and outer ends of middle grounds, shall be distinguished by horizontal stripes of black and red colour.

14. Buoys placed to mark special positions shall be painted in black and white perpendicular stripes.

15. Surmounting beacons such as staff and globe, &c., shall always be painted of one black colour; they may be applied on either side on the channel seamarks at the discretion of the authority having jurisdiction, *e.g.*, as in section 12, "Uniform System of Buoyage for the United Kingdom."

16. Buoys on the same side of a channel, estuary, or tide-way may be distinguished from each other by names, letters, or numbers; even numbers, 2, 4, 6, &c., on the starboard or right hand side, and even numbers, 1, 3, 5, &c., on the port or left hand side from seaward.

17. Buoys intended for moorings, &c., may not be of shape and colour like the sea-marks above described.

18. Buoys for marking submarine telegraph cables shall be of yellow colour, with the word "Telegraph" painted thereon in black letters.

Buoying and Marking of Wrecks.

19. Wreck buoys in the open sea or in the approaches to a harbour or estuary shall be coloured yellow, with the word "Wreck" painted in black letters on them.

20. When a wreck-marking vessel is used it shall, if possible, have its top sides coloured yellow, with the word "Wreck" in black letters thereon, and shall exhibit, by day: Three balls on a yard

20 feet above the sea, two placed vertically at one end, and one at the other, the single ball being on the side nearest to the wreck; by night: three white fixed lights, similarly placed, but not the ordinary riding light.

21. In narrow waters or in rivers, harbours, &c., under the jurisdiction of local authorities, the same rules may be adopted, or at discretion, varied as follows:—

When a wreck-marking vessel is used she shall carry a crossyard on a mast with two balls by day placed horizontally not less than 6 nor more than 12 feet apart, and two lights by night similarly placed. When a barge or open boat only is used, a flag or ball may be shown in the daytime.

22. The position in which the marking-vessel is placed with reference to the wreck shall be at the discretion of the local authority having jurisdiction.

Note.—In Russia no buoys are used as sea-marks in the open sea; to comply with the system proposed, it is only necessary to alter the colour of the sea-marks actually in use accordingly.

Inclosure 15 in No. 143.

Report of the Committee upon Division XIII.

The Establishment of a Permanent International Marine Commission.

Sir, *Washington, D.C., November* 26, 1889.

YOUR Committee have considered the above matter, and beg to report as follows:—

At the commencement of our proceedings we invited our colleagues and the Secretaries to the Conference to furnish us with the proposals, if any, prepared by Governments of the several Powers taking part in the Conference, or of any private Societies or persons, bearing upon the subject in question. We have not succeeded in ascertaining that there are any such proposals in existence save the documents set out in the Appendices hereto, (A), (B), (C), (D), and (E).

We have considered whether such a Commission could be instituted with a practical result, and in such a manner as to lead to its adoption by the Maritime Powers.

However desirable such a result would be, a majority of your Committee does not believe it to be possible to carry it into effect, and is of opinion that it cannot be regarded as one of practical feasibility at the present time.

We have also decided, by a majority of votes, that it is not possible to create an International Tribunal to try questions of collisions between subjects of different nationalities.

In coming to this conclusion, we have been guided, amongst others, by the following considerations:—

An International Commission could not be invested with any legislative power. It would be a consulting body only, constituted with the view of preparing universal legislation on maritime matters of international importance. Apart altogether from the difficulties connected with the formation of such a body, the questions as to its domicile, as to who are to be its members, and how and by whom the members are to be compensated for their labours—difficulties which by themselves seem to be entirely unsurmountable for the present—it seems to your Committee that such a consulting body of experts would not serve the purpose for which it is intended to be created, viz., that of facilitating the introduction of reforms in maritime legislation, because the advice given by such a Commission would not in any way enable the Governments of the maritime nations to dispense with the necessity of considering the subjects laid before them and laying the proposals made to them, if adopted, before the Legislative Bodies of the different States.

The consequence of instituting a body like that in question, on the contrary, would, it appears, be this: that merely another investigation of any scheme proposed with a view to reforming International Maritime Laws would have to be gone through before the opinions of the Governments could be taken, and thus the course of procedure, as it is now—by correspondence between the different Governments—would be made more complicated instead of being simplified. For these reasons your Committee beg to propose to resolve:

That for the present the establishment of a Permanent International Maritime Commission is not considered expedient.

We have, &c.

(Signed) TH. VERBRUGGHE, *Delegate of Belgium.*
OSCAR VIEL, *Delegate of Chile.*
E. RICHARD, *Delegate of France.*
F. SIEVEKING, *Delegate of Germany.*
CHARLES HALL, *Chairman, Delegate of Great Britain.*
F. MALMBERG, *Delegate of Sweden.*
CLEMENT A. GRISCOM, *Delegate of United States.*

To Admiral S. R. Franklin,
President of the International Marine Conference, &c.

I regret that I am unable to sign this Report, as its general tenour varies too much from the views entertained by the Maritime Associations in my country on the important question mentioned in General Division XIII of the Programme.

I have endeavoured to explain the views in this respect of the said Associations, as well as my own opinion, in a letter to the present Committee, which is laid before the Conference as Appendix (C) to the Committee's Report.

(Signed) AUG. SCHNEIDER, *Delegate of Denmark.*

Appendix (A).

REPORT OF COMMITTEE UPON DIVISION XIII.

Memorandum concerning a proposed Permanent International Merchant Shipping Commission.

(Prepared by the Committee of the Second Northern Maritime Conference, September 1888.)

Introduction.

At the second Conference (the first was held in Gothenburg in the year 1883) of Northern (Swedish, Norwegian, Finnish, and Danish) delegates from various Ship-owners',* Master Mariners', Underwriters', &c., Associations and Societies, held in Copenhagen in the first days of July 1888, under the leadership of C. F. Tietgen, Esq., Chairman of the Copenhagen Chamber of Commerce, and in the presence of several Ministers of State, foreign Ministers and Consuls, Government maritime officials, &c., the proceedings commenced with the discussion of the following question:—

"On the establishment of a Permanent International Merchant Shipping Commission."

After a full discussion the following Resolution was adopted unanimously:—

"The development of the shipping trade which has taken place during the last years having given rise to a great number of questions of which the satisfactory solution is of the utmost importance to the trade,

"The Conference resolves—

"That this object best can be attained by the establishment of a Permanent International Commission, and requests the Committee of the Conference to present a Memorandum to this effect to the Maritime Congress which is to be held at Washington in the last days of April next year, and to apply to the Governments of the Northern States to submit the said Resolution with their recommmendation to the Great European Powers and the United States of America."

In compliance with the first part of this Resolution the Committee has appointed the Undersigned to inquire into and report on the question; and in fulfilment of this request we now have the honour to present this Memorandum to the said Congress, and in doing so we propose to divide the Memorandum in four parts, viz.:—

Part I, containing the main points of the discussion; Part II, containing a detailed statement of the development of International Maritime Agreements, with notes referring to Part III, consisting of an Appendix, containing the necessary informations as to the respective Merchant Shipping Laws and Regulations, the opinions or proposals of influential Societies or experts, and references to the nautical works made use of. For the sake of convenience we have also divided Part II in four divisions:—

(*a.*) Under Division 1 we have collected and propose to treat the International Agreements which have been adopted by the Governments of almost all Maritime States, as "The Rule of the Road at Sea," "The International Code of Signals," "Signals of Distress and for Pilots," "International Tonnage Measurement," &c.

(*b.*) Under Division 2 we propose to discuss some other Merchant Shipping Laws or Regulations, in the adoption of which by the other Maritime States Great Britain has taken an interest, which, as yet, has nearly been without result; for instance the Laws on "Official Inquiries into Shipwrecks,

* Representing a merchant fleet of above 2,000,000 register tons, the Scandinavian vessels thus to be placed as No. 3 on the list, No. 1 being the English, No. 2 the United States, No. 4 the German, and No. 5 the French merchant fleet.

Strandings," &c.; "Preventive Regulations as to the sending to Sea of 'Unseaworthy Ships'"; "The British System of marking and lettering of the Names of Ships and their Home Ports, Register Tonnage and Draught, Scale of Feet," &c.

(*c.*) Under Division 3 we propose to give an outline of some other mercantile shipping affairs of a more private judicial nature, which, in our opinion, seem well adapted to be considered as being of an international character, and therefore ought to be treated with due regard to such character.

(*d.*) In Division 4 we have wound up our views as to the usefulness of the proposed Permanent International Merchant Shipping Commission, its eventual composition, mode of action, expenses, &c.

Lastly, in Part IV, we propose to state the reasons for another Resolution, which we are charged by the Conference to bring to the knowledge of the Congress, namely, about the question, "What can de done to diminish the danger which threatens the navigation by floating wrecks?" which, also, was discussed during the Conference.

Part I.

General Remarks as to the Development of International Maritime Agreements, stated in order to show the desirability of a Permanent International Merchant Shipping Commission.

It is a well-known fact that it is only lately that the merchant shipping has thoroughly felt the inconvenience of the discrepancies in the Rules by which its relations in the different countries have been regulated. In former times the navigation of the seas was moving in narrower tracts, more regularly laid down, in such a manner that it was in its whole character in a less degree international, and it is, properly speaking, first, when the enormous development of the steam navigation took place, that efforts were awakened for reforms, which could liberate the navigation from its many checks.

Gradually, as the commercial intercourse has increased, the navigation is getting more and more cosmopolite, and the ship-owners and merchants of all nations are associated in such a manner, that to the commercial world it is an indifferent matter whether the goods are transported in the ships of one nation or another. A well-equipped and well-manned ship, with an able and active master, will make her way in the freight market, whether it is in the coasting or the foreign trade, without any other regard than to the master's capability to fulfil a contract cheaply and punctually.

The natural consequence hereof seems to be that it is in a high degree to be wished for, and in certain respects necessary, that all Laws and Regulations concerning shipping and navigation are drawn up as uniform as it in any way can be accomplished; in short, that in the navigation of the ocean, the highway at sea of all nations, a universal law system should be obeyed. By such an arrangement a multitude of common interests will, by-and-by, be created, and thereby the world will have found the right, although a slow and difficult way by which, at least, the probability of long-lasting wars will be somewhat diminished.

It has hitherto been extremely difficult to get reliable information as to the register tonnage of the merchant fleets in former times. Fortunately, this want has lately been for a great deal removed by a Memorandum, entitled—

"Statistique Internationale. Navigation Maritime," issued in 1887 by the Chief of the Norwegian Statistical Bureau, Mr. A. N. Kiaer. From this interesting exposé we permit us to give a few extracts, viz.:—

In 1850 the entire register tonnage of the North American and the European merchant fleets (of vessels above 20 tons register) was a little above 7,000,000 tons, of which only about 200,000 tons were steam-ship tons; in 1860 the tonnage of these fleets had increased to about 11,500,000 tons register, of which about 750,000 were steam-ship tons, and in 1886 it may be estimated at about 18,000,000 tons, of which about 7,500,000 were steam-ship tons. Thus, for the last twenty-five years the total tonnage has increased about 57 per cent., but in steam-ship tons about 900 per cent. Forty years ago the total tonnage did not reach the present steam-ship tonnage, and when it is remembered that every steam-ton performs the work of at least 3 sailing-tons, the increase must be said to have been quite gigantic. The three cardinal points which characterize the last forty and specially the last twenty-five years are thus, an enormously increased register tonnage, an increased use of big ships instead of small ones, and the creation of a gigantic steam-ship fleet.

A natural consequence of the above-named mighty changes in all shipping affairs has been an intensely felt desire of additions to and improvements in the Laws and Regulations under which the navigation formerly could live and thrive, but which cannot give satisfaction any more; and though reforms were rather tardily introduced in the different countries as a consequence of the slow working of the State machinery, it must be admitted that their Governments, on the whole, have showed zealousness and activity in meeting the wishes of the mercantile community, and most of the newest maritime laws bear the testimony thereof, though it is not an easy task to reconcile the necessities of the State with the claims which commerce and navigation means to be entitled to put in. But even this does not suffice, for, the more lively the intercourse between the nations has been, the more international character the navigation gains, the more the above-named want has been felt, and a necessity has arisen for better uniformity of the different Laws. When a ship makes a freight contract to the fulfilment of which the assistance of a foreign Court of Justice must be sought or caused by a collision or a casualty, it comes under foreign jurisdiction; the owner or the master will probably see their intentions and acts weighed and judged according to Rules they do not know, and which do not agree with the basis for their dispositions. This has caused and will continue to cause inconveniences of different kinds; therefore, year by year, the want grows to obtain Regulations having validity every-

where in the world, which can complete the laws of the individual country and arrange the international side of the shipping affairs.

While the Governments in other matters of international character have displayed great energy for the creation of Agreements, for instance, the International Meter Convention, concluded in Paris on the 20th May, 1875; the International Telegraph Convention, concluded in St. Petersburgh on the 10th (22nd) July, 1875 (revised in Berlin on the 17th September, 1885); the International Post Convention, concluded in Paris on the 1st June, 1878; the International Conference for the Protection of Submarine Telegraph Cables, concluded in Paris on the 14th March, 1884; the Sugar Bounties Convention, concluded in London on the 30th August, 1888; they seem to take up a much more reserved position as to the creation of International Merchant Shipping Regulations.

The Belgian Government forms an exception herefrom in the latest time; for example, it will be remembered, that in the spring of 1885, they invited all Maritime Powers to send Delegates to a "Congrès International de Droit Commercial," to be held in Antwerp on the 27th September the same year. Many maritime questions of great consequence were here discussed, with intimate knowledge of the matters and with great ability, but in this respect we must confine us to refer to the excellent Report named "Actes du Congrès International de Droit Commercial" (d'Anvers, 1885). Even this invitation seems to have been treated with a certain reluctance, which may be proved by the fact that several maritime countries were not represented at all, and that it cannot be seen that any of the Delegates present has, in an official manner, expressed any opinion as to the questions under discussion. In private circles steady efforts have, however, been made for the solution of the said questions, particularly by the Association for the Reform and Codification of the Law of Nations, with head-quarters in London. As a private institution this Association must confine its labours to the formation of propositions or recommendations to the authorities, and besides work for the propagation of its transactions and papers, and therefore, the highest point to which it has reached is giving the impulse to reforms in some directions.

At it must be admitted that Great Britain is in possession of the most accomplished Maritime Laws, drawn up with the greatest practical knowledge of the subject, the first general question which is steadily put forward is, how this great maritime country has ruled in this or that nautical question. In these respects it cannot be denied that England, especially in the latter years, has experimented in the interest of all other countries with great sacrifices of painstaking labour and capital. Of course the natural explanation of these sacrifices is partly her mighty merchant fleet, with a tonnage at least as large as the tonnage of the fleets of all other countries together, and partly that the relations of this fleet are embraced with an interest and love of which the like cannot be found in any other country. It is therefore both natural and prudent that the more or less insignificant maritime countries on the whole, and where it can be done without giving up their independence or peculiarities, subordinate themselves to the British systems. In these circumstances the principal cause must be sought in the fact that the other maritime countries hitherto tacitly have conceded to Great Britain the leadership through its Board of Trade of almost all maritime transactions and Agreements of an international character, and this has particularly been the case since the Board of Trade, by the Merchant Shipping Act Amendment Act of 1862, Articles 58, 59, 60, and 61, had, according to issued Orders in Council, acquired power to treat vessels belonging to States having adopted certain British Maritime Laws or Regulations in the same manner as English vessels are treated. In accordance herewith the Board of Trade has gradually with great energy, and, on the whole, with success, got the British Rule of the Road at Sea, the English-French Code of Signals, and although with doubtful modifications, the Moorsom's system of tonnage measurement adopted in almost all maritime countries, which thereby have acquired advantages of consequence, for which the whole maritime world must to Great Britain be thankful, and it ought not here to be passed in silence that the thanks in this respect particularly must be directed to the well-known Secretary to the Marine Department of the Board of Trade, Thomas Gray, C.B., who for more than a generation has worked unflinchingly for the promotion of international maritime matters, not only in his official situation, but also through numerous treatises in newspapers and periodical nautical magazines.

Though the above-named Agreements may be considered as being of very great international value, still they are incomplete, and there is an everywhere felt and constantly growing want for different other International Agreements; nevertheless, the years pass by without sufficient regards being paid to such wants, and it may therefore be asked: What can be the cause why all these efforts both from official as well as private sources have been given so comparatively poor results? Our answer to this question is: The cause must simply be sought in the want of a Central Institution, whose duty it is to follow and lead the development of the maritime affairs, and which at the same time can be the joining link between navigation, as far as it is international, and the Marine Government Departments of the different countries.

Though England, as before said, hitherto has been the natural leader, it has, even for this mighty Maritime Power, been an unsolvable task to lead sufficiently quickly and steadily, and this is not difficult to explain. Firstly, the British Board of Trade must be won for this or that reform, which may often be hard work enough. Next, if it succeeds, the Board begins to act by writing to the British Foreign Office, which again writes to the Foreign Offices of the other countries, and these again to a number of Departments in the respective countries, which also have to procure the opinions of existing institutions, or of Commissions especially appointed for the purpose, and the answers have to go the same long way back again to the Board of Trade, and for every little change proposed by any of the countries the question must often repass the same way. How can it be otherwise than such a machinery works too heavily to be satisfactory for the wants of the navigation at the present times, and how can it be wondered at that the above-named Government Department hesitates a long time before it moves, and generally first does so when the public opinion has gained such strength that it cannot longer be ignored?

And last, not least, there are the Parliamentary difficulties to overcome, but of this delicate side of the question later more under Part II.

The natural and, in our opinion, the only way to conquer all such difficulties will be that the Maritime Powers agree to establish the herein proposed "Permanent International Merchant Shipping Commission."

Such a Commission, consisting of experienced Delegates from all maritime nations, would form a sort of united representation for the common shipping interests of all such nations; it would have to watch over these interests, and to test the propositions which might be presented for its consideration from different quarters, and to their furtherance formulate such proposition as joint resolves to the Governments represented. The Commission, as consisting of experts on every nautical subject, would be in possession of so much knowledge from all countries of the matters, that every question taken up by it would be sure of getting an universal and serious treatment; the difference of opinion which now is the cause of never-ending correspondence would, through a quiet personal discussion at the meetings of the Commission, in most cases be smoothed down without difficulty, and it would thus be far easier than now to come to harmony about anything sound and good. And in like manner, as every one interested in shipping affairs would feel satisfied, knowing that an institution exists whose duty it is to watch the development, and to whom they could address their wishes, sure of their being taken into consideration, and not shelved in the archives of one Department or another, the Government would acquire a mighty support in carrying through a certain maritime reform. A proposition—unanimously agreed to by the Commission, which accordingly should appear as the unanimous expression of the opinion of the experts in the whole civilized world—a Government would always easier carry through than its own perhaps one-sided views, even if these are supported by private resolutions. And, finally, when a proposition appears as the outcome of the labours of the whole Commission, in which all nations have an equal part, there would be no room for mutual jealousy between the States to appear and embroil what, on its merits, deserves to be furthered.

For the better proof of our statements, as well as of the necessity of the said Commission, we propose in the following Part II separately to treat the existing or proposed International Maritime Agreements as described in the introduction.

Part II.

Division 1.—*Existing International Maritime Agreements.*

(A.)—"*International Regulations for preventing Collisions at Sea.*"

Half a century ago, as it is well known, there did not exist any written Law or Regulation for the prevention of collisions between ships at sea. There was then only a general "custom of the sea," which prescribed that sailing-ships going with a free wind should give way to close-hauled ships, and that of two close-hauled ships the close-hauled port-tack should give way to the close-hauled starboard-tack. But, of course, such primitive state could not last when the steam-ships commenced to plough the seas, and when the navigation on the whole was becoming livelier. At first it was mostly in narrower fairways that the want of more comprehensive and distinct Rules was felt, and the single States, therefore, issued Regulations, which certainly were of more or less mutual likeness, but yet were not the result of mutual negotiations. Only England and France concluded Agreements as to common Rules, what is easily explained by their joint interests in the navigation of the Channel.

It is not our intention here thoroughly to represent the development of the Rule of the Road, as such may easily be found in several excellent treatises on this subject, of which we particularly refer to the most complete and instructive ones we know, named in the Appendix under Note 1. For our purpose it will be sufficient to go back to 1863, when England succeeded in gaining the adhesion of the other seafaring nations to the English-French Rules of the same year (Order in Council, January 9, 1863). Since then twenty-five years have passed, but a Jubilee these Rules could not hold, and those who believed that their development under the leadership of England should advance in a safe and satisfactory track must have felt somewhat disappointed. The Rules of 1863, with the supplemental or explanatory provisions of 1868 to Article 13 of the Rules (Order in Council, July 30, 1868), remained in force sixteen years; but these English-French—now International—Rules were constantly the object of criticism and attacks from different sides, and a revision was at last found unavoidable, which took place in 1879 (Order in Council, August 14, 1879). Nevertheless, shortly after, a Supplemental Order, dated the 24th March, 1880, was passed, putting off Article 10, relating to the lights of fishing-vessels, and in lieu thereof Article 9 of the Regulations, authorized by Order in Council, 1863, was substituted. By the revised Rules of 1879 no fundamental changes took place. The Rules continued unaltered in substance, but some points which required elucidation were improved, and some other points, where experience had shown that additions were necessary, were also provided for. (See Appendix, Note 2.) Nevertheless, these revised Rules had some weak points. One of these was Article 5, "Day and Night Signals for Steam-ships not under command," by which the same signals should be given by a steam-ship which, in consequence of accident to her machinery or steering gear, or for any other reason, is not under command, as by a steam-ship laying or picking up a telegraph cable. Against this confounding intimacy, which might lead to dangerous misunderstandings, the Telegraph Companies naturally enough protested, and proposed different and distinct signals in both cases. That Article 10 had been put off, as before mentioned, was also very unsatisfactory, and the consequence was that, instead of the Rules of 1879, the Rules of 1884 (Order in Council, August 11,

1884), were issued. By these Rules Article 5 was changed as proposed, but the new Article 10, "Lights and Signals for Fishing-Vessels," had the same unfortunate fate as the former Rule. The owners of fishing-vessels protested with much energy against the system of lights ordered by this Article, and as the British Board of Trade did not see its way to enforce these provisions against the wishes of several influential Members of Parliament, it gave its sanction through a Supplemental Order in Council, dated the 30th December, 1884, to a new and complicated system, the so-called "Grimsby Duplex-System." The same unfortunate story was repeated, the fishing representatives, backed up by the same Member of Parliament, would not adopt this system, but insisted on the undisturbed carriage of the sole bright white light when fishing as prescribed by the Rules of 1863, and, in addition, in case of trawlers, of a red flare-up. The Board of Trade did not find it prudent to resist this renewed Parliamentary pressure, and therefore gave the matter up, as will be seen by the Supplemental Order in Council, dated the 24th June, 1885, by which the last-named system was allowed for sailing trawlers. The consequence of these wavering Orders is that English, and probably also other trawlers, may be met with in the North Sea carrying, when fishing, either—

1. The common coloured side-lights (eventually also a white top-light);

2. Two top-lights, the upper red and green on the sides, and the lower bright white (the Grimsby Duplex-System); and finally

3. A bright white top-light and occasionally a red flare-up.

It appears, however, that German, Dutch, Belgian, and Danish "trawlers" only use the last-named light signal.

It cannot be denied that the leadership of England in this respect has been rather misleading, as it repeatedly obliged the other Maritime Governments to rescind their Regulations expressly adopted on the recommendation of the Board of Trade, but the worst feature is that the confusion which at present reigns may easily lead to loss of life by collisions between fishing-vessels and other vessels.

Nevertheless, almost all Maritime Powers have step by step adopted the British Rules of 1884 (with the exception of the said Article 10); for instance, Norway by a Royal Ordinance, dated the 28th January, 1885; Sweden by a Royal Ordinance, dated the 20th February, 1885; the United States of America by an Act of Congress, dated the 3rd March, 1885; Holland by a Royal Edict, dated the 26th June, 1885; Denmark by a Royal Decree, dated the 18th February, 1887.

Unfortunately, the question of lights for fishing-vessels has not been the only weak point in the leadership of England. The criticisms on the one side, and the deplorable experience as to the number and character of the increased collisions on the other side, has driven England from revision to revision, and yet the matter is still in such a plight that almost all other countries agree that the Rules are in need of improvements and additions. Both the system of lights (see Appendix, Note 3) and the system of fog-signalling (see Appendix, Note 4) are insufficient, and though the Rules commonly, and in our opinion rightly, are considered as based on "sound, practical, and seamanlike" principles, not a few of their Articles still want elucidation and additions. (See Appendix, Note 5.)

The cause of this unfortunate situation of these Rules is mainly, as far as we are able to judge, that England in spite of suggestions made by France and Russia (see Appendix, Note 1, under "Parliamentary Papers") has refused to treat the matter in an International Conference, stating that such proceeding would be "undesirable." All transactions in this respect have, therefore, been conducted by correspondence through the troublesome ways formerly described; the propositions or proposals made from different countries have, therefore, not undergone the intimate inquiry they had deserved, and the Rules have undoubtedly suffered thereby. For a comparison, what would be the fate of a law, when the mode to frame it was not by exchanging opinions through a debate in Parliament, but in such a manner that every Member should write to the Speaker, and he alone had to formulate the law according to all these writings? And yet, in fact, such proceeding is now the ordinary way, and therefore the situation is as it is, and no advance will be made before this method is totally changed.

As an instance illustrating that the above-named proceedings in the present steam age may be called "slow coach driving," we may name the time spent before the adoption as an International Agreement of the Article 16 of "The Merchant Shipping Act," 1873, "Duties of Masters in Case of Collision," was accomplished.

Here Great Britain has not failed in her calling, but has strenuously and repeatedly recommended its adoption. Though the desirability of such a provision seems self-evident, as it is dictated by simple regard to the sake of humanity, it took fifteen years before it was universally adopted. We believe Norway was the first, by a Merchant Shipping Law, dated 3rd June, 1874, then Germany, by a Royal Decree, dated 15th August, 1876, and lastly, we are sorry to say, Denmark, by a Law of 23rd March, 1888.

Another side of this question being intimately connected with the inquiries as to collisions, we have found in a British "Merchant Shipping Bill" of March 1884, which we regret was not passed. This is the matter treated in Article 79, which we think would have been very well suited for adoption as an international prescription. We, therefore, think it advisable to reproduce this Article with only a slight modification of the first lines, viz.:—

"As soon as possible, and at the latest 24 hours after a collision with any other ship has occurred, every master of a ship shall make or cause to be made an entry in the official log-book, containing a full report, stating the circumstances under which the collision occurred, and which ought to be certified by sign-manual by the officer of the watch, the helmsman, and the look-out.

"Such entry shall, in particular, give information as to—

"(*a.*) The course and speed of the ship when the other ship was first seen, and the direction and force of the wind;

"(*b.*) The estimated bearing and distance of the other ship when first seen;

"(*c.*) The light or lights, or, if the collision occurred during daylight, the apparent course of the other ship when first seen;

"(*d.*) Any alteration in the lights or course of the other ship before the collision, and the distance at which such alteration occurred;

"(*e.*) The steps taken on board the master's own ship to avoid a collision, and the estimated distance at which such steps were respectively taken;

"(*f.*) The parts of each ship which first came into contact;

"(*g.*) The master's opinion as to the cause of the collision."

We are firmly convinced that such an international arrangement would be of very great consequence for the inquiries and judgments by the proper Tribunals in collision cases, particularly between ships belonging to different countries. The want of such an arrangement contributes probably much to the present ingenious formulation of marine declarations by the so-called "sea-lawyers," which as a rule, are more misleading than leading. In our opinion the agreement mentioned here would often be a sure preventive against such erroneous practice.

Under the revised Rules of 1884 the "Signals of Distress" are taken up under a new Article 27 Substantially the same signals were introduced by "The Merchant Shipping Act," 1873, section 18, and on the recommendation of Great Britain, gradually adopted by the other maritime countries, for instance by Germany, according to a Royal Decree of 26th February, 1876, and these signals must, therefore, now be considered as internationally adopted; the only change introduced by the said Article is that while the Act prescribed as a night signal of distress, "rockets or shells of any colour or description the Article prescribes, "rockets or shells throwing stars of any colour or description." This addition is certainly an improvement, as two or more rockets, without stars, fired simultaneously, are used as distinguishing signals for the mail-packets and other passenger liners in pursuance of section 21 of "The Merchant Shipping Act Amendment Act, 1873," and might, therefore, formerly have been mistaken for signals of distress. Nevertheless, we find in the "Instructions for Surveyors of Ships," edition 1887, issued by the Board of Trade under Article 48, "Statutory Distress Signals," the signals specified in the Act of 1873 reprinted without any mention of the above-named change, but this is certainly rather misleading, at least for a foreign inquirer.

The "Signals for a Pilot," by Article 19 of "The Merchant Shipping Act, 1873," the Board of Trade has also by degrees got internationally adopted, and these signals have since remained unchanged.

"*The Difference in the Command to the Helm.*"

Identical nautical terms for these commands are of the utmost consequence for the practical and safe use of the "Rule of the Road." Until 1874 terms having the same meaning were everywhere in use; but since that time an unfortunate change has taken place, as in all French ships, German, Austro-Hungarian, and Italian Government ships, and partly in Swedish ships, "Port," or "Helm to port," means that the helm shall be put in such a way that the ship turns to port, or to the left, while this command in the other maritime countries, according to the old tradition, means that the helm shall be put in such a way that the ship turns to starboard, or to the right. The above-named change has created a confusion which already has led, and probably will continue to lead, to deplorable collisions with loss of life, particularly as it has been proved by Law Court suits in collision cases that there are still pilots to be found who are not aware of what command is to be used in the ships of the various nations. It is, therefore, in the highest degree to be wished for that harmony should be procured in such a manner that the command derived from the time when steering was effected by a tiller should be abolished—so much more, as this practice is directly at variance with the commonly used signs to the helmsman, viz., beckoning with the hand to the right for altering the course to starboard, and *vice versâ*—but as England hitherto has been unwilling to hear of any change in this respect it would, in our opinion, be far better meanwhile to adhere to the ancient British custom. To leave no room for mistakes in the future, the wording of the only Article in the whole of the Regulations which used to contain the injunction to "port the helm" (Article 15) has been altered to "that each shall alter her course to starboard."

That the Northern Conference does not stand alone in its wishes for improvements in the "Rule of the Road" we could prove by many examples, but for the present we will confine us to cite a part of a Resolution we have found in the Report of the eleventh Conference (in 1883) of the Association for the Reform and Codification of the Law of Nations, viz.:—

"That it is desirable that the Powers should agree in establishing an International Court of Appeal whose decisions might be sought by the Powers themselves in case of conflict in the interpretation or application of the International Laws and Regulations to collisions at sea.

"That, to obviate all risks of mistranslation, it is desirable that the Maritime Powers should appoint an International Commission, composed of carefully selected experts, to prepare and publish, with the sanction of such Powers, an authentic polyglot text of the Regulations and Code of Law above referred to."

In the Report of the thirteenth Conference (London, 1887) of the said Association, the following Resolution was also carried:—

"That a Committee of five, with power to add one member from each maritime nation, be appointed by the Chairman to inquire into the best mode of preventing collisions at sea, and to report thereon to this Association at the next Conference."

While, in principle, agreeing with these Resolutions, proposed and carried by eminent English

experts, we are decidedly of opinion that their aim would be far better attained if these matters were taken in hand by the herein proposed "Permanent International Commission."

Finally, we permit us to express the hope that the honourable Congress will not lose sight of the plan for diminishing the chances of collisions laid down as early as in 1856 by the world-renowned American scientific navigator, Lieutenant Maury. As it is well known, he laid down in the Charts of the Atlantic Ocean two lane routes for the regular steam traffic between New York and Europe: the northward for from Europe coming—and the southward for from North America going—steamers, divided by a belt 50 miles broad under Cape Clear, and gradually increasing to 200 miles on 50° western longitude.

By following the advice of Mr. Maury, all steamers coming from or going to the Channel would be sure to avoid each other; nay, even those from or to Brest and Nantes going steamers would, by making a small détour and seeking these routes, obtain the like security under the passage. But not only that such a benefit would be obtained, this ingenious author says, all sailing-ships would be, by keeping outside of this belt, considerably secured, and if circumstances carried them thereinto, they would have a yet stronger occasion to be still more attentive. He winds up with about these words: "It is self-evident that such a plan does not in the least permit the neglect of the sailor's best supports—his log, his lead, and the look-out."

Some steam-lines, as the "Cunard" and the "White Star," advertise, as it is well known, that their steamers take the lane routes recommended by Lieutenant Maury, on both the outward and homeward passages, but such cautious navigation is rather an exception than a rule.

This question has been much under discussion in the Scandinavian nautical circles, and some experienced navigators recommend that not only between North America and Europe, but also in the Channel and in the Sound, such Rules ought to be internationally adopted. For instance, it has been suggested that in the Channel all through-going steamers coming from the west should keep in the outline of the offing of the English lights, and from the east they should keep closer to the English coast; and that in the Sound such steamers coming from the south should go through the Flintrännan, and to the east of the Isle of Hven, while all such steamers coming from the north should go along the coast of Zealand, and through the Drogden.

When it is remembered that it has been proved by a Report, dated the 16th April, 1884, drawn up by a Committee of Experts appointed by the Society of Arts in London, that the English-American mail-packets under the passage in the open ocean, even in foggy weather, steam along with full speed, and that this is now between 15 and 20 knots, and that the increase of such steamers has been enormous, and that there is no probability of such racing being put a stop to, we are strongly of opinion that something more definite must be done in the direction recommended by Lieutenant Maury. If his advices thirty years ago, as we firmly believe, were sound and good, they must certainly be the highest wisdom now-a-days, having regard to the facts mentioned under Part I. We therefore hope that it will be taken into consideration whether the principle laid down in Article 21 of the present Rules, "that in narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship," could not in some way or other, under a coming revision of the Rules, be modified so as to serve as a guide for the navigation in other fairways, at least for steamers in regular passages.

(B.)—"*International Code Book of Signals.*"

The Board of Trade, having always taken a great interest in sea-signalling, appointed in 1855 a Committee "to inquire into and report upon the subject of a Code of Signals to be used at sea," and in the following year a Signal Book was submitted, based on the principle of the present Code; but it was first in the year 1864, after it had undergone a revision by an Anglo-French Commission, that it gained international acknowledgment, and it is now adopted both by men-of-war and merchant-vessels of all nations. This Code Book has now been issued in ten or eleven different languages, and almost all sorts of communications can now be exchanged between ships and with signal-stations without regard to the language spoken by the crew.

So far all was well, but the development of the commercial and shipping affairs has been so vast these twenty years that a Code which was then sufficient is not so any more. There are constantly created new maritime inventions and nautical terms as well as ports and maritime places, whose names ought to be added, but experience has amply shown that it is very difficult for other countries than England to get such improvements or additions introduced. Perhaps this is partly owing to the manner—rather difficult to understand for a Continental observer—in which this book is issued in England. It seems to be prepared under the authority of the Board of Trade, but its editor is the Registrar-General of Shipping and Seamen, and it is, as well as the "Code List," printed and owned by the "Shipping and Mercantile Gazette." While this undertaking is half Governmental and half private, the establishment and management of signal-stations on the English coast seem to be quite private, as almost the whole of them are at present owned by Lloyd's, or the "Shipping Gazette." Pressed from various sides, the Board of Trade in 1884 asked the maritime countries to send in proposals for a revision of the Code Book, but only as regards changes in coins, weights, and measures, and changes or additions to the geographical signals, but it does not appear that the proposals have been adopted but in an almost imperceptible degree. A great lacuna in the Code is also that it does not contain any system of night-signals, though several well-considered plans have been submitted to the Board of Trade (see Appendix, Note 6). Rocket-signals from light-houses to distressed ships, as introduced by the Dutch Government from the 1st July, 1888, we think ought also to be adopted as international signals.

The Board of Trade has, in the beginning of this year appointed a Committee of Delegates and Experts from that Department, the Trinity House, Lloyd's, &c., with Mr. Thomas Gray, C.B., as Chairman, to report on this matter, particularly to bring the International Signal Book up to date, and to advise "whether the time has arrived when it may be deemed desirable to establish a system whereby the signals in the International Code Book may be made by night as well as by day."

No doubt this matter has now been put in the very best hands, but, as we have stated under Part I, the changes proposed will have to go the described long and weary international way several times before anything can be settled, while if the herein proposed Permanent Commission existed, everything would be finished much quicker, and certainly, at least, as well.

"Also this matter would therefore, in our opinion, be well served by being put under the wings of the said Commission."

(C.)—"*International Tonnage Measurements.*"

The following remarks are, on the whole, a reproduction of a Memorandum published in the English language by the Danish Board of Customs in the autumn of 1878, and as it was considered necessary, on account of the Agreements concluded between the various Maritime Powers having adopted the British measurement system, as to the mutual recognition of the national tonnage measurement, or, at least, suitable to the purpose, that any reform which may bring along with it an alteration in the registered tonnage that existed at the time when the Agreement was concluded should be made a matter of mutual communication between the countries concerned. This Memorandum was presented to the Governments of the principal Maritime States as an explanation of the reasons which led Denmark to give up the so-called "British Rule" (the 32 per centage deduction of the gross tonnage of screw-steamers), and only to use the so-called "Danube Rule," proposed by the International Tonnage Commission of Constantinople, 1873, and adopted by the European Commission of the Danube from the 1st January, 1877, as well as by the Suez Canal Company from the 1st July, 1878.

The present British measurement system, commonly called "Moorsom system" after its inventor, the first Surveyor-General for Tonnage in England, was introduced in that country by "The Merchant Shipping Act, 1854," Articles 20 to 30, from the 1st May, 1855.

This system consists, as it is well known, in all its simplicity, therein, that the cubic contents of all inward spaces, as well under the decks as of the permanent and covered-in erections on the uppermost deck, are measured with as great mathematical exactness as the circumstances on board ships may permit. The sum of the cubic contents thus ascertained, converted into tons register à 100 cubic feet makes the gross register tonnage. From this tonnage, again, is deducted the sum of the tonnage of certain partitioned-off spaces in the ships, as crew and engine-room spaces. The rest, then, shows the net register tonnage of the ship, which, as it is well known, in most cases, constitutes the norm, after which dues are levied on the shipping.

Directly after the emanation of "The Merchant Shipping Act Amendment Act, 1862," mentioned in the introduction, the British Board of Trade, enabled by Article 60 of this Act, issued a Memorandum accompanied by an invaluable treatise on the subject by Mr. Moorsom, called "Review of the Laws of Tonnage," London, 1853, in which the prominent qualities of the British system were explained, and the international advantages obtained by its adoption were shown.

As the net register tonnage forms the norm according to which the different dues on shipping are calculated, and as the great differences which then existed between the tonnage measurement of various countries led to great loss of time, expenses, and troubles of different kinds by the continuous remeasurements every time a ship discharged or loaded abroad, it was manifestly a great benefit England bestowed on the whole maritime world by the aforesaid step.

Nevertheless, the negotiations to bring about so desirable a result have lasted for many years, and only after long and patient discussion they have resulted in the present approximation to uniformity of practice.

In the United States of America the Moorsom system was introduced from the 1st January, 1865, but at first only with regard to the gross tonnage. By a new Act of the 5th August, 1882, the net register tonnage was also there established as the norm, as by this Act deductions for crew-spaces and engine-room according to the "Danube Rule" were allowed.

By degrees the system was adopted by the European Maritime Powers; thus by—

Denmark	From October	1, 1867.
Austria-Hungary	„ September	1, 1871.
Germany	„ January	1, 1873.
France	„ June	1, 1873.
Italy	„ July	1, 1873.
Sweden	„ April	1, 1875.
Holland and Spain	„ January	1, 1876.
Norway	„ April	1, 1876.
Finland	„ June	1, 1877.
Greece	„ July	1, 1878.
Russia	„ January	13, 1880.
Belgium	„ January	1, 1884.

Outside Europe the system has been adopted by—

Chile	„ January	1, 1875.
Argentine Republic	„ January	1, 1877.
Japan...	„ July	1, 1884.

"Deduction for Spaces occupied by or necessary for the Propelling Power in Steamers."

According to the Merchant Shipping Act, Article 23, this deduction is computed after the result of the measurement of all spaces that are occupied by, or necessary for, the proper working of the engines and the boilers (the coal-bunkers not included), and when—

(*a.*) The tonnage of these spaces so ascertained in screw-steamers is above 13 but under 20 per cent., and in paddle-wheel steamers above 20 but under 30 per cent. of the gross tonnage of the ship, a deduction of respectively 32 and 37 per cent. of the gross tonnage is allowed;

(*b.*) In all other cases, but now seldom met with, the deduction is computed by adding to the tonnage of the above-mentioned spaces 75 per cent. for screw-steamers, and 50 per cent. for paddle-wheel steamers.

It may here be well to note that the Rule (*b*) is identical with the so-called "Danube Rule," but that, nevertheless, the Rule (*a*) only bears the name of the "British Rule."

More than thirty years these curious and complicated Percentage Rules have been in force; thus there has been a superabundant opportunity to prove how unsatisfactory and irrational the results found out in this way may be.

This has, for instance, been proved by many examples shown in the explanatory Tables of the Danish Measurement Memorandum, but it will here be too prolix to repeat such examples. Of course, the faults of the "British Rule" are well known in England, and as a proof hereof we may mention that Mr. Thomas Gray, in his evidence before the Select Committee on the Tonnage Bill of 1874, in this respect made use of the following noteworthy expressions:—

"It is indeed an anomaly that a great maritime country like England cannot get rid of a few bad features in an otherwise excellent Measurement Law, which, instead of being a pattern to the other nations of the world, thereby is made a thing they should most avoid."

Among a number of essays on "Merchant Shipping Legislation," published in the "Nautical Magazine" for 1871, Mr. Gray has given further elucidation of this question, which, in his usual way, is as sound in its reasonings as it is clearly put. Herein the "British Rule" is denounced as irrational and absurd. In the same "Magazine" for 1887, in an article on "Saving Life at Sea," a striking example as to the impossibility of using the net registered tonnage according to the "British Rule" for any practical purpose whatever is mentioned thus:—

"The steamer 'Bournemouth,' which went ashore in a passage from Torquay to Bournemouth, and was certified to carry at sea 372 passengers, was 232 tons gross, but under 7 tons register, and was free from inspection simply because her builders and owners possessed contrivance and ingenuity enough to avail themselves to the fullest extent of the vagaries in the Laws governing register tonnage, and brought that in her case down to below 7."

In the "Shipping and Mercantile Gazette" we have also found a very pertinent letter, dated the 1st October, 1887, on this subject from one on the question of register tonnage "completely puzzled" writer, who winds up his remarks as follows:—

"A glance at the 'Mercantile Navy List' will soon convince the most sceptical that this is no overdrawn statement. For example: There is one whose gross tonnage is 135 tons, net tonnage *nil*; another, gross tonnage 116 tons, net tonnage *nil*; another, gross tonnage 160, net 17 tons; and another, 244 tons gross, and 33 tons net; and some of these are paddle-wheelers taking up the room of at least two ordinary vessels. How these figures are arrived at it is impossible for any one not being an expert or a conjuror to say; but it is possible, with a little more practice in this direction, that some steamers may be reduced to so many tons less than nothing, and then the question may arise if harbour authorities will have to pay them for the privilege of entry, and at the same time be liable in case of damage, should any occur, through defective moorings or a stray order from a Harbour-master."

Finally, we find in the Report of the last (1881) British Royal Commission on Tonnage, the following statement:—

"In the case of the steam-tug 'Clyde,' of Greenock, her tonnage is registered as minus 4·64, her gross tonnage being 87·72 tons, and her deductions 92·36. We have it in evidence that this vessel occupies space in harbours and docks without the authorities being able to levy any dues whatever upon her for the accommodation she enjoys."

Of course, the builders of steam-ships have made themselves thoroughly acquainted with such vagaries, and it is now almost always the case that, in countries which make use of the "British Rule," the actual engine-room is given such a size as to be just above 13 per cent. of the gross tonnage, thereby acquiring the right of the 32 per cent. reduction, but also not seldom thereby doing damage to the proper construction of the engine-room, and, of course, causing considerable loss as to the light, harbour, and dock dues, and last, not least, it is prejudicial in the highest degree to the sailing-ships. The professional experts are, therefore, everywhere extremely anxious of getting rid of such a Rule, which owes its too long existence only to the circumstance of being inserted in a Maritime Law of Great Britain, and to the particular difficulties in changing that Law.

It cannot, therefore, be said that the following assertion, used in the Danish Memorandum in the winding-up of the comparisons between the different Rules, is unfounded, viz.:—

"That the 'British Rule' is most deficient as to accurateness and equity."

The British Board of Trade, being fully aware of the inconvenience in this respect, has made most strenuous efforts for introducing a reform, but has hitherto totally failed in every such attempt.

Thus, already in the year 1860, the obnoxious Rules for the deduction for propelling power were abolished in an administrative way. Several Steam-ship Companies, which thought their interests threatened, brought the question before the English Courts of Justice, whereby the improved mode of proceeding was reversed. In the year 1867 a Memorandum, entitled "Observations on the Admeasurement of Tonnage," drawn up by the aforesaid Marine Secretary, Mr. Thomas Gray, C.B., was issued by

the Board of Trade, and presented for the consideration of other maritime countries, showing, among other things, the fallacies of the "British Rule," and recommending the adoption of a Rule by which the cubic contents of the herein-mentioned spaces (bunkers included) could be ascertained.

In consequence hereof, in 1871, a Tonnage Bill was laid before the Parliament, by which it was moved to introduce the later so-called "German Rule" (*i.e.*, the deduction for the propelling power in steamers fixed by cubical measurement of all spaces occupied by or necessary for the engine, boilers, and shaft-trunk, as well as of the permanent coal-bunkers), but this Bill was not passed.

It was also England which caused the appointment of the International Tonnage Commission of Constantinople, 1873. The proposals of this Commission were looked forward to with great expectation as likely to be conducing to an agreement about the establishment of a universal tonnage measurement, but these expectations have only been partly fulfilled. The debates and the proposals of this Commission are inserted in a voluminous Memorandum (*procès-verbaux*) issued by the Turkish Ministry of Foreign Affairs in December 1873, but how interesting this work may be in a scientific point of view, nevertheless, the proposals founded thereon have, as it seems, a good deal to be wished for as to their usefulness in a practical point of view.

However, as a result hereof, and in accordance with the proposals of the above-named Committee of 1874, in the same year a new Tonnage Bill was presented where it was moved to introduce the Rule recommended by the said Commission, namely, the "Danube Rule" (*i.e.*, the deduction fixed by cubic measurement of all spaces occupied by or necessary for the engine, boilers, and shaft-trunk, with an addition of 75 per cent. thereof as amends for the coal-bunkers not being measured). Nor was this motion carried either, because the Parliamentary Commission, which had to examine the same, had given it such form as the Government could not approve.

Again, in 1880, a Royal Commission of Tonnage was appointed, whose painstaking labours are laid down in an exceedingly clear and concise Report (with a voluminous "Minutes of Evidence"), dated the 25th August, 1881 (Parliamentary Paper, C. No. 3074, 1881).

On the deduction for propelling power in steamers, this Commission says:—

"As regards the operation of the law in respect of the deduction of space in steamers for propelling power, we find a general concurrence of opinion that the existing allowances are neither equal in their operation, nor based on any sound principle discernible under the present conditions of steam navigation."

This opinion was backed up by some very lucid Tables. The proposal in this respect was that the owners of steamers should have the option to claim as deduction for propelling power either the application of the "Danube Rule" or the "German Rule," but with the provision that this deduction in screw-steamers should not exceed 33 per cent., and in paddle-steamers 50 per cent., of the gross tonnage. On the base of this Report, a Tonnage Bill was, in the beginning of 1884, presented, but was soon withdrawn by the Government, and has not as yet again been laid before the Parliament.

Nevertheless, the requirements of the Danube Commission and the difficulties with the Suez Canal Company made it impossible for England to leave this matter alone, and by a Convention, dated 5th February, 1878, the proposals of the Constantinople Commission became obligatory for the Company.

In accordance with this arrangement there are also issued special certificates of tonnage for the Suez Canal, in which the deduction is ascertained by the "Danube Rule," the formula hereto being adopted by all maritime countries. Herein it may be hoped that the germ to an international tonnage certificate is to be found.

We think it must be admitted that it cannot with justice be said that the Board of Trade has failed in its calling in this matter, but that the fault is to be found in the British Parliamentary system.

When it is considered how the English experts as shown above have treated their own Measurement Rules for the deduction for propelling power, it is not to be wondered at that these Rules have not fared better in other countries. Nevertheless, some of these—for practical reasons, and, namely, to be in full accordance with the mightiest Maritime Power—have adopted the "British Rule;" several chose to follow the "German Rule," introduced by Germany by its "Schiffsvermessungs-Ordnung vom 5. Juli, 1872, §§ 16 und 17" (see Appendix, Note 7); and the rest adopted the "Danube Rule."

At present the situation is as follows:—

1. The "British Rule" is the legal rule in English, French, Finnish, Italian, and Austro-Hungarian ports;

2. The "German Rule" is the legal rule in German, Swedish, Norwegian, Russian, and Belgian ports;

3. The "Danube Rule" is the legal rule in North American (United States), Danish, Dutch, Egyptian, Greek, and Spanish ports, as well as for the passage of the Suez Canal and the River Danube.

The reasons why the last-named Rule is recommended by the experts are:—

(*a.*) That it was already introduced by "The Merchant Shipping Act, 1854," Article 23 (*b*), and therefore must be said to be well known, though not often used in practice;

(*b.*) That the deduction according to this Rule is so ample that very seldom any steamer will suffer from its application;

(*c.*) That by its application no opportunity is given for the inquiries which are necessary by the application of the "German Rule" as to what may be considered as permanent or not permanent bunkers, and which makes the last-named Rule so obnoxious both to owners, masters, and surveyors. (See Appendix, Note 7.)

One drawback to the "Danube Rule" must not be left unmentioned here. As well known, great iron houses are as a rule built on the upper deck to give protection to the proper engine-room, and for the admission of light and air. In case of such houses not forming a part of, and not being inclosed in other erections, they are not measured at all, but if not so built, it is the rule that they are considered as belonging to the engine-room under the upper deck, and their tonnage augmented with 75 per cent.

in like manner as the tonnage of the proper engine-room. But by such proceeding a disposition is created to increase the size of such deck engine-houses beyond what is necessary or expedient, and a way is thus opened to a fatal misuse of the "Danube Rule." To prevent such abuse, it is evident that only the actual tonnage of the engine-house on deck, as included in the gross tonnage, ought in such cases to be added to the engine-room deduction, and not, as the "Danube Rule" at present prescribes, also with 75 per cent. of such a separate partitioned-off space on the upper deck or betwixt-decks in addition.

Finally, we are of opinion that the recommendation of the British Royal Commission, that the deduction for propelling power shall not exceed 33 per cent. of the gross tonnage of any screw-steamer, in some cases will be rather too narrow. The bad effects of the present deficiency in the "British Rule" of any limitation at all has been amply represented before, as it may lead to the absurd result that the net tonnage can be reduced to *nil*.

In the United States, Denmark, Germany, Norway, and Russia this limit is therefore fixed at 50 per cent. of the gross tonnage; but with such a deduction, in addition to the deduction for crew spaces, no injustice can be said to be done to any steamer, while at the same time any misuse is prevented.

As the net registered tonnage for steamers above 1,000 tons gross, estimated under the "British Rule," is on the average about 10 per cent. less then the same tonnage according to the "Danube Rule," and about 16 per cent. less than after the "German Rule," there exists at present a deplorable inequality as to the international norm for the calculation of the dues on steam-shipping. The advantages of an international register tonnage are therefore for a great deal lost, as, of course, net register tonnage, after the "British Rule," is not recognized in countries having adopted either the "Danube" or the "German Rule." Originally, in the Agreements concluded about the recognition of the tonnage measurements, no notice is taken of the varieties in the modes of measurement and in the deduction for the propelling power in steamers.

In the later Agreements a change has taken place in that respect, and generally it has been determined that only the gross tonnage for steamers shall be recognized, and the engine-room deduction in every special case shall be determined according to the Rules in force in the respective countries. Partial remeasurements were accordingly reintroduced, carrying with them the former loss of time and other troubles, though, of course, in a diminished degree

On the other side, where the "British Rule" is the norm, reduction, by remeasurement, to this Rule from the "German" or the "Danube Rule" is allowed. Although it cannot be denied that such an arrangement is quite correct, experience, however, has shown that it is not much made use of, on account of either ignorance or fear of detention.

In order to prevent the drawbacks of such partial remeasurements, the tonnage certificates issued in Denmark since the 1st October, 1878, besides the tonnage computed after the "Danube Rule," have, under a special head, been provided with the officially recorded tonnage details, according to the two other Rules.

The same arrangement has also been adopted in Sweden and Norway, and as such statements, according to special agreements, respectively, are taken for good in most countries, no remeasurement takes place, and, consequently, the inconveniences of the different methods are not so much felt by steamers belonging to these countries.

But, besides the above described difference as to the deduction for the propelling power, there exist several other discrepancies, which exercise a more or less disturbing influence on the size of the respective registered tonnage. One of these is:—

"Deduction for Spaces for the accommodation and use of the Crew."

Concerning the deduction for separately partitioned-off spaces for the accommodation and use of the ship's officers and crew, there are at present three systems in operation, viz.:—

1. The "English Rule," according to "The Merchant Shipping Act Amendment Act, 1867," Article 9, by which—under certain conditions as to arrangements and size in respect to the number of the crew—such deduction is allowed with the full-measured tonnage of said spaces, without any limitation whatever.

Besides in Great Britain, this Rule is followed in Sweden and Norway.

2. The "German Rule," according to "Schiffsvermessungs-Ordnung," 5th July, 1872, sections 11 and 15, whereby the total deduction for crew-spaces must not surpass 5 per cent. of the gross tonnage. (See Appendix, Note 7.)

Navigation spaces, as well as cook-houses and privies, are considered as not belonging to the crew spaces, and are, in general, left out of consideration altogether.

This Rule is adopted in Russia and Austria-Hungary.

3. The International (Constantinople) Tonnage Commission's, or the "Danube Rule," according to which the total deduction for crew-spaces also must not surpass 5 per cent. of the gross tonnage, but with the difference that navigation-spaces as well as cook-houses and privies are here considered as belonging to the crew-spaces, and therefore are added to these and limited as above mentioned. No conditions as to size or arrangement in respect to the number of the crew are made here.

This Rule is adopted by the United States, France, Holland, Belgium, Spain, and Greece, as well as by the Danube Commission and Suez Canal Company.

In Denmark this Rule is also followed, but only for ships above 1,000 tons gross. In every case the conditions as to size and arrangement, according to the above-named "Merchant Shipping Act, 1867," Article 9, are strictly enforced. For vessels with a gross tonnage below 1,000 tons a per cent. deduction, rising in an inverse proportion to the ship's size, is allowed, as it has been proved by numerous

measurements of crew-spaces that a limitation of 5 per cent. for smaller vessels is unjustifiably little provided that the sanitary regulations shall be duly attended to. Experience has also shown that the deduction for navigation-spaces, cook-houses, &c., ought to have special limitations, and, consequently, not, as according to the "Danube Rule," to be included in the deductions for crew-spaces. As well known, the number of crew, and, consequently, the size of the crew-space do not increase in the same proportion as the size of the vessel. For instance, while the crew of a sailing-ship of 50 tons, as a rule, consists, besides the master, of three men, the crew of a sailing-ship of 500 tons does not number thirty, but, in general, only fifteen men. Consequently, for the first-named ship, according to the "Danube Rule" a deduction of only 0·8 ton for each man will be allowed, while, on the contrary, for the latter a deduction of 1·7 ton for each man will be allowed, that is to say, more than the double; this disposition cannot, however, be said to be proportionate or equitable; the reverse ought obviously rather to be the case.

In order to prevent the misuse, caused by an unlimited deduction, a certain limitation is unavoidably necessary, and as no plan more practical has been proposed, the only expedient left seems to be, as it is done in the following Table, to adopt a deduction increasing in an inverse proportion to the size of the ships, and this deduction ought to be so ample that each ship may, as far as possible, be indemnified for the space which, in general, is required or appropriated for the accommodation of the crew answering to the size of the ship; moreover, the deduction ought to be so adjusted that the Regulations with respect to the spaciousness of the forecastle should not be counteracted by the Tonnage Measurement Rules as to the limitation of the deductions.

In England, as in Denmark, it is, namely, prescribed that for each man who is to be accommodated in the crew-spaces shall be allotted a space the cubic content of which must be 0·72 ton, at least. The maintenance of this requirement—which is as moderate as well may be, as, for instance, can be seen by the circumstance that in barracks a minimum space about five times as large is required for each man—would be rendered highly difficult by too narrow limitations. The circumstance that the ship's owner knows that the whole space allotted for the accommodation and use of the crew is not included in the dutiable net tonnage will evidently contribute exceedingly much to a satisfactory solution of the question in hand. In a time when the attention is more and more turned to the unsatisfactory sanitary conditions existing on board many vessels, it seems unadvisable to prescribe too narrow Rules with regard to measure and duty-free crew-spaces. (See Appendix, Note 7.)

The following Table shows how this problem has been solved in Denmark, and we hope the Congress will be good enough also to look into this side of the intricate tonnage measurement question. At the first glance this Table probably will look rather complicated, but ten years' experience has shown that it works very well, and that the augmented reckoning caused thereby is next to nothing in relation to all the other tonnage computations:—

Gross Tonnage.	The Deduction for all Crew Spaces must not exceed—	The Deduction for all Navigation Spaces must not exceed—
For ships above 1,000 tons	The total deduction must not exceed 5 per cent. of the gross tonnage.	
„ from 1,000–500 tons	6 per cent. of the gross tonnage .. .. . The total deduction must not exceed 50 tons.	1 per cent. of gross tonnage .
„ „ 500–300 „	7 per cent. of gross tonnage and not over 30 tons ..	5 tons.
„ „ 300–200 „	8 „ „ „ 21 „ ..	4 „
„ „ 200–100 „	9 „ „ „ 16 „ ..	3 „
„ „ 100– 50 „	10 „ „ „ 9 „ ..	2 „
„ „ 50– 30 „	11 „ „ „ 5 „ ..	2 „
„ „ 30– 10 „	14 „ „ „ 3·3 „ ..	1 „
„ under 10 tons..	18 „ „ „ 1·4 „ ..	

As the size of the crew-spaces varies between 3 or 10 per cent. of the ship's gross tonnage, corresponding inequalities are created as to the norm for the dues on shipping. A consequence hereof is again that the countries which have adopted the 5 per cent. limitation are suffering under a corresponding pregravation in comparison with the countries which allow deductions for crew-spaces without any limitation at all; an inequality which is contrary to the Agreements concluded, and which could easily be prevented.

As little as the net registered tonnage, on account of the above-named deductions for propelling power and crew-spaces, can at present be considered to be in a satisfactory state as to equality, as little the gross registered tonnage is identical for vessels under different flags having one or more of the following special constructions:—

"Incomplete covered or closed-in deck shelter-spaces."

The said British Royal Commission recommends in its Report (see paragraph 44 (*d*)):—

"That gross tonnage should be made to include all permanently covered and closed-in spaces above the uppermost deck, and that erections with openings either on deck, or coverings, or partitions that can readily be closed in, should also be included in gross tonnage, but that skylights of saloons, booby-hatches for the crew, light-and-air spaces for the boiler- and engine-rooms when situated above the uppermost deck, as well as erections for the purposes of shelter, such as turtle-backs, open at one end, and light decks supported on pillars and uninclosed, should not be measured for the purpose of their contents forming part either of the gross or register tonnage. Cargo carried under such erections should continue to be measured for dues, under the Act of 1876, the same as if stowed on the open deck."

In a theoretical point of view it is just, and in accordance with the Moorsom system, to include, as

proposed by the Commission, in the dutiable tonnage all permanent spaces on or above the uppermost deck, regardless of these spaces being but incompletely closed in, in as far as the actual openings of those spaces can be closed or choked.

In most countries—at all events in countries whose steamers have a lively business in carrying deck passengers and live cattle—it has, however, practically been found impossible to work upon this principle, as by this means necessary contrivances to shelter passengers and cattle, when on deck, against shipment of seas and inclemency of the weather would be hindered, and, at the same time, the proper means to secure life and property at sea be counteracted.

That scarcely any other question relating to tonnage measurement has given rise to so much dispute as this highly difficult question will be seen by the following outline of its history.

In default of English Rules in this respect, officially advertized, a number of examinations on board English steam-ships has been undertaken in Danish ports, by which it has been found that the English Measurement Surveyors up to 1875 practically have adopted the plan that when "any part of the deck below the shelter-deck was not covered in, then the shelter-deck spaces were not measured; and, on the contrary, when the shelter-deck was unbroken and continuous, then the shelter-deck spaces were always measured."

How favourable soever such a distinction really was to the steam-ship owners, it did not satisfy them, and the question was therefore, in 1872, brought before the English Courts of Justice for decision, whereby, nevertheless, the above-mentioned mode of proceeding seems to have been reversed; but whereby also a deplorable confusion in this question was created, which will be seen by a Board of Trade Circular, No. 28, July 1875, communicating the Judgment of the House of Lords in the case of the steam-ship "Bear," and showing its consequences.

It appears therefrom that the attempts to settle the question in administrative way have failed, and that it therefore will be necessary to judge and treat every case according to its special qualities. However, as it cannot with certainty be seen from the said Circular what the mode of proceeding ought to be, this vagueness has led to a very unsatisfactory state of things, the lamentable consequences of which, on account of the importance of the question, are more or less felt by all countries that have adopted the Moorsom system.

By examination of a great number of English steam-ships, however, it has been found that, according to the English praxis, the following two conditions for exemption were at first required, viz.:—

"1. That the shelter- or covering-deck should be broken through by complete transversal intersections; and

"2. That on or above the shelter-deck should not be placed such heavy apparatuses as steam-cranes and capstans for the unloading of cargo or weighing of the ship, nor permanent deck-houses for passengers or crew."

To the former condition it is, as it seems with good reason, objected that by such intersections the strength of the upper part of the ship will be considerably weakened without it being prevented; that the condition may be rendered illusory if the said openings, immediately after the measurement has taken place, shall be covered or closed in by planks from above and by ports on the sides, which, by means of caulking and screw-bolts, can be made almost completely water-tight.

Of the latter condition complaints have likewise been made on account of several disastrous accidents having been caused thereby, as in case of the unloading or weighing apparatuses being placed under the shelter-deck it will be impossible for the man working these apparatuses to have the necessary control with what is going on about him.

The consequence of these remonstrations has been that these conditions could not be maintained, and as the Board of Trade have not yet succeeded in carrying through any of the Bills which they have repeatedly laid before the Parliament in this respect, this question is in a highly unsatisfactory state, and as no Rules generally valid and suitable to the purpose exist, the practical treatment is different in the different countries. In consequence of the lively Anglo-Danish maritime intercourse Denmark follows the English practice at any time as near as possible, but in Sweden, and particularly in Norway, the conditions for exemption of deck-shelter spaces are more severe; in Germany they seem, in certain respects, to be treated somewhat easier (see Appendix, Note 7); but dissimilarities as high as from 10 to 30 per cent. of the gross tonnage are hereby created between steamers under different flags; nevertheless, their net registered tonnage is usually taken for good in pursuance of the wording of the Agreements.

The Board of Trade has, however, as soon as possible taken care to neutralize the noxious effect that necessarily must be the consequence of the above-mentioned decision pronounced by the English Supreme Court by inserting in "The Merchant Shipping Act, 1876," section 23, the following preventive Regulation:—

"If any ship, British or foreign, other than home-trade ship, carries as deck cargo, that is to say, in any uncovered space not included in the cubical content forming the ship's registered tonnage, timber, stores, and other goods, all dues payable on the ship's tonnage shall be payable as if there were added to the ship's registered tonnage the tonnage of the space occupied by such goods at the time at which such dues became payable."

It is easy to see that by this Regulation not only the construction of imperfect and less seaworthy shelter-decks, but also the increasing, and in many instances dangerous, carrying of deck cargo is counteracted, as no real profit is to be gained thereby, and the temptation to elude the Tonnage Measurement Law in this manner is, therefore, as far as concerns Great Britain, almost done away with.

Sure enough, in the end of the year 1876, the British Government sent an invitation to the Maritime Powers which had adopted the Moorsom system to introduce the above-mentioned Rule as to measurement of deck cargoes, contending that this provision ought to be regarded as an appendix to that system, and in such a manner that the deck cargoes in foreign vessels should be measured in the

loading ports, and that the measured tonnage should be proved by the issuing of an official special tonnage certificate in every case, but, as far as it is known, none of the said countries has, as yet, followed this invitation, and it must also be admitted that this proposal is connected with several practical difficulties.

Also, this important tonnage question is therefore waiting for its solution by the herein-proposed "International Permanent Merchant Shipping Commission."

"Double bottom water ballast arrangements."

To the other pending tonnage questions is lately added one more, namely, whether the water-ballast space in the double bottom should or should not be exempted in all cases, howsoever it may be constructed. The reasons for the wishes as to such exemption are known to be: That it is not freight-earning space, that cargo cannot be carried in it, that the double bottom is a source of strength and safety, that vessels have been saved from foundering through being so built, that in the case of heavy cargoes it is found advantageous by raising the weight, and that vessels so constructed do not require dock or harbour facilities for loading and unloading ballast.

On the other side it is argued that, although double-bottom spaces may not be used for the stowage of cargo, they often practically contribute to freight-earning, inasmuch as the entire hold in such case is available for light cargo, whereas a portion of the hold in a ship not fitted with water-ballast would be unremuneratively occupied by stone or other material for ballast. It is also manifest that a ship fitted with a double bottom on the bracket or cellular system is externally a larger ship and is capable of carrying more dead-weight cargo, with a given freeboard, than a ship of the same internal dimensions, and of precisely the same tonnage, constructed without a double bottom, or with double bottom water-ballast on the McIntyre system, and lastly, that this wished-for exemption is contrary to the principle governing the Moorsom system.

In view of these different opinions no hard and fast rule has, as yet, been laid down in any country, but meanwhile in England, Sweden, and Denmark the practice has grown up that such spaces are not only exempted in cases where the double bottom is constructed on the "cellular" (the bracket or longitudinal) system, that is, where the the floor plates form the upper bottom, and where this bottom is hermetically closed and continuously running fore and aft, but in Germany it seems that water-ballast spaces between the double bottom are exempted without any condition whatever. (See Appendix, Note 7.)

We are inclined to think that the last rule is better than the first one, as this may lead to anomalies and complaints from ship-builders and others interested. If to the last rule were added that the deduction should only be given with 50 per cent. of the tonnage of such spaces, we think that the opposite meanings might be somewhat reconciled. Such inequality in the treatment is, of course, unfortunate, as it may lead to differences in the respective gross tonnage of from 5 to 10 per cent. As the Board of Trade does not see its way to take the lead this question is also waiting for an international solution.

"Measurement of hatchways."

It has appeared by experience, besides the many attempts that have been made to elude the Moorsom system, that it has been contrived to fit up not to be measured holds in large hatchways. As thereby the seaworthiness of the ship is diminished, partly with regard to the strength of the deck and the whole structure, partly with regard to the stiffness of the ship, the Board of Trade, to prevent such misuse, in September 1876 issued a Measurement Circular, which prescribes that hatchways of whatever height are to be measured, "in order that the proportion their tonnage bears to the gross tonnage of the ship may be ascertained, and that the excess, if any, above ½ per cent. of such gross tonnage may be added to the register tonnage of the vessel."

This example was from 1878 followed in Denmark, but as this does not appear to be the case in several other countries, the consequence is one more, though comparatively insignificant, difference in the respective gross tonnage.

As shown in the statements above, the net registered tonnage for screw-steamers built according to the same design with quite the same external dimensions, measured in the harbours of the various countries, may vary on account of—

1. The different Rules for the deduction for the propelling power with until 16 per cent. of the net registered tonnage;
2. The different Rules for the deduction for crew-spaces with until 5 per cent. of that tonnage;
3. The different treatment of deck-shelter spaces with until 25 per cent. of the gross registered tonnage;
4. The different treatment of water-ballast spaces in double bottom with until 5 per cent. of that tonnage.

Accordingly, the difference altogether may be for screw-steamers until 50 per cent., and this, notwithstanding the Moorsom system, forms the common principle for the tonnage-measurement in the respective harbours.

As before said, the censure for the unsatisfactory state, seen from an international standpoint, of the "Tonnage Rules" as well as of the "Rule of the Road," cannot with justice be brought home to the Board of Trade, as it has been shown that this overburdened Department again and again has presented to the British Parliament Bills for the development and improvement of the said Rules, but such Bills are constantly wrecked there, as the Government, as before mentioned, have not been able to break the obstinate resistance which the influential ship-owner party raises against every proposal which is thought to touch at this party's pecuniary interests, without the least regard being paid to International Agreements.

"In view of this state of things we are decidedly of opinion that this important question will never find its solution without being drawn in under the auspices of an 'International Permanent Merchant Shipping Commission.'"

(D.)—"*Miscellaneous Maritime Agreements.*"

Under this partition may be noted some practical Agreements, which owe their existence to the interest England has taken to their international adoption, viz.:—

1. Reciprocal arrangements as to the disposal of the estates of deceased seamen;
2. Agreements as to the reciprocal surrender of deserted seamen from merchant-vessels;
3. Reciprocal arrangements as to the relief of distressed seamen in certain cases;
4. Reciprocal Agreements concluded in pursuance of "The Merchant Seamen (Payment of Wages and Rating) Act, 1880," Article 5, to prevent "unauthorized boarding of ships." By these Agreements the evil influence caused by the presence of "boarding-masters" and their "runners" on board arriving ships, in order to induce the crew to desertion, has been counteracted in a very effective way;

5.—(*a.*) The International Convention relative to the police of the fisheries in the North Sea, dated the Hague, the 6th May, 1882;

(*b.*) The International Convention respecting the liquor traffic in the North Sea, dated the Hague, the 16th November, 1887.

The deliverance to the care of an "International Permanent Merchant Shipping Commission" of questions relating to such practical reciprocal Agreements, would, no doubt, be received with thankfulness from all parties concerned.

Division 2.

Under this division are treated the following Merchant Shipping Laws and Regulations, in the adoption of which by the other Maritime States Great Britain has taken an interest, which, as yet, to our regret, has been met with but too slight adherence.

(E.)—"*Official Wreck Inquiries.*"

In this important matter England has also been the true leader, having got her eminent system for such inquiries introduced as early as in 1854 ("Merchant Shipping Act, 1854," Part VIII), which was further improved and completed by a series of Amendment Acts of 1855, 1862, 1873, and 1876, as well as by "The Shipping Casualties Investigation Act, 1879."

These inquiries of casualties at sea have been of great service to the whole maritime world, partly as a lesson or a warning to the sailors, and partly as constituting the fundament for the development of the newest side of the merchant shipping legislation, and especially in respect to prevention of the use of unseaworthy ships. At first there was a good deal of opposition against these Laws by some maritime circles and Ship-masters' Societies, but this was little by little silenced when, by the information contained in the Reports, the benefits were known which could be reopened from such inquiries when they are led and published by experts.*

England has therefore several times invited the other maritime countries to adopt her system in order to procure uniform informations, by specified formulas, for the different classes of casualties occurring on the coasts of the various countries, but this well-founded invitation has, on the whole, not been met with the adherence it deserved.

In the Scandinavian countries already, in 1876, Commissions were appointed to consider and report on the English system, and in Denmark Bills, based on her Commission's proposals, were presented three times to the Rigsdag (the last time in 1883), but none of these Bills were passed.

On the contrary, it must be admitted that Germany, by its "Reichsgesetz vom 27. Juli, 1877, betreffend die Untersuchung von Seeunfällen," has got introduced a most excellent system in this respect, which can be learned by the perusal of the "Entscheidungen des Ober-Seeamts und der Seeämter des deutschen Reichs," published yearly by the "Reichsamt des Innern."†

Acknowledging the usefulness of such inquiries, the first Scandinavian Maritime Conference (of 1883) discussed this matter, and the following Resolution was unanimously carried:—

"The Conference find it advantageous for the sea-trade—

"1. That the circumstances by all accidents at sea, which have led to loss of property of greater consequence, or have caused loss of life, should be the object of an official inquiry by experts.

"2. That by such inquiries in the three Northern Kingdoms, as soon as possible after the casualty, there ought to be drawn up as far as possible uniform statements as to the details of such casualty.

"3. That the statements should be statistically treated by the proper Departments, and the results published."

In the Report of the twelfth Conference (in 1881) of the Association for the Reform and Codification of the Law of Nations, we find that the following Resolutions were carried as to "Official Investigations of Maritime Casualties":—

"1. That this Association deems it advisable that the results arrived at by the competent

* In a work entitled "Wreck Inquiries," by Walter Murton, Esq., Solicitor to the Board of Trade, published in 1881, is given a most complete information of the whole machinery of these inquiries, and which, in the English maritime press, has got the very best reception, as indispensable for every one who has to do with Law Court cases of shipping casualties.

† A very clear and concise statement of the German system is represented in a work by "Statsanwalt" (Julius Cæsar), entitled, "Handbuch der deutschen Reichsgesetzgebung betreffend die seeunfälle, deren Untersuchung und Verhütung" (Bremen, 1882).

authorities in the investigation of maritime casualties, if of general interest, be communicated between the respective Governments.

"2. That this Association deems it advisable that the authorities intrusted with the investigation of maritime casualties, if empowered to deprive the masters of their certificates, ought also to be allowed a discretion to suspend only the certificate for a certain limited time."

While in principle agreeing with the above Resolutions, we are decidedly of opinion that their aim will not, in a discernible future, be attained without this important matter being taken in hand by the herein-proposed Commission.

(F.)—"*Official Survey as to the Seaworthiness of Merchant Vessels.*"

The Regulations in this respect must, according to their nature, be said to be of an international character in so far as a country, which has introduced severe controlling provisions as to seaworthiness of her own vessels for the case of competition, must be anxious to know that other maritime countries have introduced similar provisions for their vessels. This seems to be the natural explanation why England has shown so great an interest for getting her legislation in this respect, and particularly the provisions in "The Merchant Shipping Act, 1876," Article 13, respecting an official load-line, accepted in other countries.

In consequence of suggestions from England in this respect to the Scandinavian countries, Commissions were appointed there (in 1876) to inquire into and report on the English system of survey of merchant-ships by Government officials.

In Denmark Bills founded on her Commission's Report were presented to the Rigsdag in the years 1880, 1881, and 1883, but were not passed, the principal cause being that in none of the surrounding countries any serious interest for the introduction of the English system was shown.

After the British Load-Line Committee of 1883 in the beginning of 1885 had submitted its Report on this matter to the Board of Trade, this Department, in the spring of 1886, renewed their invitation to the other maritime countries as to an international adoption of the proposals of the Committee with regard to the fixing of an official load-line.

In April 1887 the British Government has further notified to foreign Governments that clauses 13 and 24 of "The Merchant Shipping Act, 1876," which have heretofore been in abeyance, are now to be applied to foreign vessels. Clause 13 provides that, subject to certain modifications, the Board of Trade shall have power to prevent the overloading of foreign vessels which may load in whole or in part in British ports. Clause 24 prohibits all vessels, whether British or foreign, from carrying into British ports deck cargoes of heavy timber during the winter months. The effect of this new Regulation will be that in respect to vessels loading in British ports, and vessels arriving with deck cargoes of timber at British ports, the same Rules will be applied to foreign vessels which have hitherto applied to British vessels only. Of course, this will remove a grievance of which British ship-owners have complained, that they had to compete with foreigners who were left without restrictions as to the quantity of cargo they might carry. From a Continental stand-point this provision has, however, its great drawbacks, as it, without adherence from other countries, may be cause of serious protests, international difficulties, and endless correspondence; but, of course, everything will depend on the manner in which this provision is carried through in practice. As far as we know it has, as yet, been enforced with great moderation.

We believe that it is a general opinion in the small maritime countries that the English system of survey is too complicated, and would be too costly, also that it is not so necessary in such countries, where, of course, the shipping affairs are more uniform and quiet, and where the ship-owners may be said to be living in glass houses, and are therefore controlling each other, so that Government interference is not so much needed. Nevertheless, we are inclined to think that some control—on the principles laid down by "The Merchant Shipping Act, 1876," and "The Merchant Shipping (Carriage of Grain) Act, 1880," ought to be introduced, particularly in respect to the loading of vessels; but as long as Germany and Russia will not move, there seems to be very little probability that the Scandinavian countries will take the lead in this matter.

In our opinion, there is also a right stand-point as to the question of surveys for seaworthiness by Government officials, as this preventive matter is a true international question which only can be solved by an International Commission, as proposed by the Conference.

In this opinion we are glad to see that we are in the very best accordance with the British Royal Commission on Loss of Life and Property at Sea (see Final Report, dated the 27th August, 1887, Parliamentary Paper C. 5227, 1887), which, with regard to the loading and seaworthiness of foreign vessel, reports: "We think that the Board of Trade has acted wisely in endeavouring to secure by negotiation that the same measures shall be applied to foreign vessels by their own Governments and local authorities, rather than by attempting to enforce our Regulations upon foreign vessels.

"We recommend, therefore, that Her Majesty's Government should take immediate steps to invite a Conference of Maritime States to consider how far it may be possible to agree on identical Rules for the loading of merchant-vessels, and also what measures can be mutually agreed on for enforcing such Regulations."

(G.)—"*Agreements for preventing the Transfer of Unseaworthy Vessels to the Flags of other Nations.*"

An arrangement intimately connected with the foregoing question, which has been very effective in aiding the Board of Trade in its endeavours to prevent the use of unseaworthy vessels, has been attained by the above-named Agreements, which that Department has carried through with success and impartiality.

According to these Agreements no British ship can be transferred to another flag before a certificate of survey upon the condition of the vessel in question, showing that no objection exists on the grounds of unseaworthiness to the transfer, has been issued by a Board of Trade Surveyor, and has been presented to the Consuls of the respective countries.

At the same time, as fraudulent or colourable transfers are hereby counteracted, such maritime countries as have not got introduced provisions against the use of unseaworthy vessels, have escaped the danger of being overrun by such vessels heretofore under the English flag.

Similar Agreements might also with advantage, as to the security of life and property at sea, be concluded between other maritime countries.

(H.)—"*Uniform Marking and Lettering of Names of Ships, Port of Registry, Register Tonnage, and Draught Scale of Feet.*"

In this respect the Board of Trade has recommended the universal adoption of the Rules according to "The Merchant Shipping Act, 1873," Article 13, as to the above-named marking, after which the name shall be marked on each of the ship's bows, and her name and the name of her port of registry on the stern. The last prescription is generally enforced in most countries, but not the first, which, nevertheless, must be said to be very useful for the better control with a ship's whereabouts. In addition hereto the number denoting her registered tonnage shall be cut in on her mainbeam, and a scale of English feet denoting the ship's draught of water shall be marked on each side of her stem and of her stern-post. As there is no probability that England will give up her feet-measure, while, on the other side, most countries have adopted the metre-measure, we think it advisable that the ship's draught should be marked by both these unities of measure, and that a record of the draught of water of any sea-going ship, as well as the extent of her clear-side, when leaving port, should always be noted in the log-book.

The marks of nationality on the mainbeam, which a few countries (for instance, the Scandinavian) still retain, we think had better be left out, as such marking has never been universally adopted, and the certificate of registry ought to be considered sufficient to prove the nationality and identity of a vessel.

Also this matter would be better off if taken care of by the said Commission

(J.)—"*Uniform Conditions as to the Right to carry the National Flag.*"

It is a well-known fact that the legislation in some maritime countries as to these conditions is so elastical that foreigners very easily can get their ships transferred to the registers of such countries, and as such irregularity under a naval war may lead to complications of a dangerous character for the neutral Powers, it seems to us that some uniform fundamental Rules in this respect would be very useful. Though the British Rules, according to "The Merchant Shipping Act, 1854," Part II, Article 18, "Description and Ownership of British Ships," generally have been adopted as the pattern, nevertheless these Rules in other countries have been more or less changed, but, generally, not for the better. It would carry us too far to point out such deviations in detail for every country, and we admit that it is a most difficult task to formulate these Rules in such a manner that they cannot be eluded either by *pro formâ* bills of sale and secret not registered mortgages, or by the starting of share Companies with men of straw as managers. However, we think that something ought to be done in this respect, but also that the only institution that could solve this problem would be the proposed International Commission. The same remarks are valid for the form and contents of the certificates of registry in the different countries, which will be evident by a look into the valuable collection of such papers, which the British Board of Admiralty has published in May 1886. Some of them are curiously unpractical as to the information most needed, and where no measurement bill is included, give very little enlightment as to the controlling of the dutiable register tonnage. In our opinion there ought to be an international agreement in this respect, prescribing that the spaces above the uppermost deck that are measured into gross tonnage should be specified with their contents on the certificates of registry or measurement bills, and that the spaces whose contents are deducted from gross tonnage should in like manner be specified on these papers. Though it might be useful, it will not be necessary that the registry machinery should be the same in every country, it would nevertheless, for the lightening and security of purchase and sale of shipping property, be desirable that the most important deeds of property, as the bill of sale and the builder's certificate, should be made more alike as to form and content.

In the transactions of the Antwerp Congress of 1885 will be found a proposal of M. Smekens, President of a Belgian Tribunal of Commerce, as to uniform provisions for registration of mortgage of ships, &c., and partly for the form and content of the registers, which, in our opinion, is very noteworthy. In the Scandinavian countries Special Commissions have lately prepared new registry bills, which, to all practical purposes, are quite alike.

It would certainly not be amiss if also these questions were to be taken care of by the said Commission.

(K.)—"*Uniform Conditions respecting the Qualifications for the acquirement of Master's, Mate's, and Engineer's Certificates of Competency.*"

Although the safe and successful carriage of passengers and property in the oversea or the foreign trade mainly depends on the same qualifications as to skill and knowledge of the officers of

whatever nation it may be, we are not aware that any serious step has been made by the British Government, or any other Government, in order to establish certain uniform fundamental provisions in the above-named respect. Nevertheless, most of the Continental Regulations, as the German "Bekanntmachung" of 25th September, 1869, the Swedish Decree of 22nd November, 1878, and the Dutch Decree of 18th January, 1886, bear witness that the British Regulations as to the examination of masters, mates, and engineers—according to the Merchant Shipping Acts, 1854, Articles 131-140, and 1862, Articles 5-11, together with the Board of Trade's Regulations of 1868 and later Circulars—have been adopted as a pattern, though not sufficient to be considered as being uniform, but as it would only be waste of time and space here to point out in detail the existing divergences, particularly as to the conditions for the age and the time served at sea of the applicants, we must confine us to express a hope that at least these conditions should be made similar, as well as the Regulations for the admission of foreigners to command and pilot vessels. The British Regulations in the last-named respect are the most liberal known, as a sailor of whatever nationality, who fulfils the English requirements, can command a British ship and pilot such ship or a foreign ship, even in British compulsory waters. These liberal Regulations we should be glad to see internationally adopted. Certainly, by the Merchant Shipping Bill laid before Parliament in 1887, it was proposed to take away from the masters and mates of foreign ships the privilege of proving their competency to pilot their own ships, and thus obtaining a certificate which exempts them from compulsory pilotage; but as the 'Select Committee on Pilotage,' in their Report, dated 3rd August, 1888, recommend that the granting of pilotage certificates to aliens should be continued, it is probable that the above-named truly British Regulations will not be allowed to be interfered with.

(L.)—"*General Uniform System of Buoyage.*"

The Report of the Committee delegated by the Conference, which, under the presidency of the Duke of Edinburgh, in 1882, was held upon a proposal to establish such a system (see Parliamentary Paper C. 3622, 1883), contains in its minutes of evidence a series of opinions from experts in favour of an international system of beaconage and buoyage as a valuable assistance to the navigator, which, therefore, would prove a benefit to the shipping. One member of the Commission proposed a system for the marking of shoals based on the compass bearings to be shown by different variations in the colourings of the buoys.

As, however, the colours very often are difficult to discern at a distance, several inventors have tried to solve the problem by a combination of different forms and colours of the sea-marks.

In "Annalen der Hydrographie," 1887, such system will be found, entitled "Einheitliche Betonnungs-System unter besonderer Berücksichtigung des Deutschen Betonnungs-Systems."

In the Appendix, under Note 8, we propose to give a short outline of an international system proposed by a Danish expert, who has lately published an interesting book, with numerous designs, entitled "Beaconage and Buoyage of different Nations," which will be presented to the Congress by the said author.

(M.)—"*Uniform Quarantine Regulations.*"

If the motto of the old and renowned "Nautical Magazine," that "The seas but join the nations they divide," is a truth, the artificial barriers against the free intercourse which most Continental powers raise by their too severe and often vexatious Quarantine Regulations for the prevention of the introduction of contagious diseases, must be regarded as a curious contradiction and a serious mistake. Though this, also, generally has been freely admitted, the history of the International Quarantine Conferences held in Paris, 1851 and 1859, in Constantinople, 1866, and in Vienna, 1874, as well as the transactions of the Association for the Reform and Codification of the Law of Nations (see 7th Report, 1879), shows how extremely difficult it is to come to an understanding on this matter, as the very divergent views of various countries an regard to sanitary precautions have hitherto rendered it impossible to secure a general consent to principles which might form the basis of a Convention to regulate quarantine. Great Britain, however, continues to protest against the Continental systems, and to recommend her own hitherto successful system, according to the Order in Council of July 1873, and "The Public Health Act, 1875;" but we are not aware that any noticeable regard has been taken to this advice.

Therefore, we cannot come to any other conclusion than the said Commission would also in this question prove to be the best anchor-hold.

DIVISION 3.—"*Uniformity in different private judicial Mercantile Marine Matters.*"

Several mercantile marine questions of a more private judicial nature have often in the last fifteen years been discussed at the Conference of the different Associations mentioned before, and have thus given occasion for a number of able speeches and interesting reports enough to fill a whole library, but what in practice has been attained by these otherwise invaluable transactions is, indeed, very little. Though we agree in the opinion that most of these questions are well adapted to be considered as being of an international character, and, therefore, with benefit to the commercial world, should be treated with due regard to such character, we do not intend to reproduce such transactions, as this would exceed our resources, and besides, would not suit the limited plan for this Memorandum.

Nevertheless, for the sake of completeness, we beg leave to give the following short outline of the history of a few of the most debated of these matters.

(N.)—"*International Uniformity in the Law of Damages caused by Collisions at Sea.*"*

At the first Northern Maritime Conference (1883) this subject was discussed at great length, and the inconveniences of the present confusion, caused by the existing discrepancies, were amply shown, to the remedy of which several well-considered proposals were approved, but as the same matter also has been treated in the very best manner at the Antwerp Congress of 1885 (see the Report, pp. 130-146, and 296-318), we prefer to quote the Resolutions there adopted, viz. :—

"L'abordage dans les ports, fleuves, et autres eaux intérieures, est réglé par la loi du lieu où il se produit.

"L'abordage en mer, entre deux navires de même nationalité, est réglé par la loi nationale.

"Si les navires sont de nationalité différente, chacun est obligé dans la limite de la loi de son pavillon et ne peut recevoir plus que cette loi lui attribue."

"Si l'abordage a eu lieu dans les ports, fleuves, et autres eaux intérieures, on applique, quant aux fins de non-recevoir et aux prescriptions, la loi du lieu où il s'est produit.

"Si l'abordage a eu lieu en mer, le capitaine conserve ses droits en réclamant dans les formes et délais prescrits par la loi de son pavillon, par celle du navire abordeur, ou par celle du premier port de relâche.

"En cas d'abordage de navires, s'il y a faute commise à bord des deux navires, il est fait masse des dommages, lesquels sont supportés par les deux navires dans la proportion de la gravité qu'ont eue les fautes respectivement constatées comme cause de l'événement."

"Si l'abordage a été causé par une faute commise à bord d'un seul navire, le dommage est supporté entièrement par lui.

"Si l'abordage est fortuit ou douteux, chaque navire supporte son dommage sans répétition."

In want of a leader with authority, which the proposed Commission expectingly would yield, this important question has, however, as yet not advanced a whit.

(O.)—"*Uniform Salvage Regulations.*"

At the Antwerp Congress of 1885 (see the Report, pp. 146-151 and 304-314) the following Resolutions were adopted on this subject :—

"L'assistance maritime dans les ports, fleuves, et autres eaux intérieures est rémunérée d'après la loi du pays où elle se produit.

"L'assistance en mer est rémunérée d'après la loi de l'assistant.

"L'indemnité d'assistance ou de sauvetage doit être déterminée surtout en prenant pour la base les circonstances suivantes : le zèle déployé, le temps employé, les services rendus au navire, aux personnes, et aux choses, les dépenses faites, le nombre des personnes qui sont intervenues activement, le danger auquel ces personnes ont été exposées, le danger qui menaçait le navire, les personnes, ou les choses sauvées, enfin, la valeur dernière des objets sauvés, déduction faite des frais.

"Les passagers dont la vie a été sauvée ne doivent pas contribuer à la rémunération spéciale d'assistance.

"Tout contrat fait durant le danger est sujet à rescision."

"N'a aucun droit à l'indemnité de sauvetage ou d'assistance celui qui a imposé ses services, qui, notamment, est monté sur le navire sans l'autorisation du capitaine présent.

"Le capitaine qui rencontre un navire, même étranger ou ennemi, en danger de se perdre, doit, s'il le peut, venir à son aide et lui prêter toute assistance, sous des pénalités à comminer par la loi."

One of the English Delegates, Sir John Gorst, Q.C., M.P., the present Parliamentary Under-Secretary of State for India, recommended particularly the second Resolution for adoption, with the following noteworthy words :—

"Je n'hésite pas à me prononcer en faveur de la loi de l'assistant. Il faut encourager l'assistance, réagir contre l'égoïsme, si disposé à ne pas se déranger pour prêter secours à autrui. Il faut, au moins, que celui qui se dévoue ne soit pas privé, par une législation étrangère parcimonieuse, de la juste rémunération de ses peines. Vous encouragerez l'assistance et vous sauverez beaucoup de vies humaines en admettant que, en cas de conflit des lois, c'est celle de l'assistant qui prévaut."

As another English Delegate, Sir Travers Twiss, Q.C., heartily seconded this, with acclamation-accompanied expression, it is to be hoped that the British Government will take an interest in the furtherance of this truly international question.

(P.)—"*International Uniformity in the Law of General Average.*"

After many years of indefatigable labour, the before-mentioned Association, at a meeting at Antwerp in 1877, succeeded in getting adopted the so-called "York and Antwerp Rules" to form the basis for a uniform treatment of general average cases, and continual efforts have ardently been made to gain common adhesion to these Rules, so that at present in charter-parties and bills of lading of numerous

* The "Nautical Magazine" for 1881 contains a series of articles on this subject by F. W. Raikes, Esq., M.A., LL.M., Barrister-at-law. In these interesting and complete articles is represented the historical development of the Laws regulating this matter, with an extract of the Laws in force in this respect in the most important maritime countries; and, finally, suggestions for a General Code of Maritime Law on this subject.

ships a clause is inserted that they are to be applicated, and most Assurance Companies have submitted to them. But it is a natural consequence of the manner in which the "York and Antwerp Rules" were created, that, though they are both practical and suggestive, they are not complete; they comprise only the most frequently occurring and most debated points, but do not give any information as to numerous general average questions, and even within this limited ground there is room for deviating interpretations, so that they in nowise compensate the want of a uniform law of general average, though their adoption and application in the practical life must be admitted to be a promising step in the right direction.

Of course, this important question continues to be discussed at the meetings of the said Association (see, for instance, its Report for 1885), and was also treated at the Antwerp Congress of 1885; but it will carry us too far from our plan here to repeat these most interesting transactions.*

(Q.)—"*International Uniformity in the Law of Affreightment and Bills of Lading.*"

For a number of years there has also been worked assiduously by many Corporations and authors in maritime law to smooth down the existing discrepancies as to the Rules of Affreightment. At first the attention was directed particularly to some of the most glaring differences in the Maritime Laws of the respective countries, as, for instance, to distance freight; but, in the course of time, it seems that practical men have arrived at the conviction that it is more important to come to an agreement as to the limits the Laws ought to fix for the private contract liberty in this matter. The charter-party being a contract between the ship-owner and the freighter, there is no reason why they should not have a great liberty to agree on the conditions for the use of the vessel; nevertheless, there are some reciprocal duties and rights which are deeply rooted in the nature of the relation between them, and are a necessary sequel of it, and which it should not be allowed any one of the interested parties one-sidedly to abolish by a clause in the charter-party or bill of lading.

In England, where the legislation puts a very great and extensive liability on the owners, these, in the course of time, have, by additions and additions to the said ships' papers, tried to put off every sort of liability. To prevent such abuse the aforesaid Association took the matter in hand, and tried to gather all the interests for a common, reasonable bill of lading, which could form the basis of a further development of the question as to a universal Law of Affreightment. At the meeting in Liverpool (1882) a draft was agreed on, but as it was considered as being too moderate as to the liabilities of the ship-owners, and, besides, from a theoretical point of view, was found to be contending against the scientific principles of law, this question was again put under debate in Hamburg (1885), where a new draft was agreed on. Now it was the ship-owners' turn to be dissatisfied; none of them would introduce this normal bill of lading, and for the third time it must be rearranged in London (1887) where the following Resolution was carried:—

"That the following principle, adopted by the Conference of this Association, held in Liverpool in 1882, be now confirmed and adopted as the basis of discussion. That the principle of the common form of bill should be this: that the ship-owner, whether by steam- or sailing-ship, should be liable for the faults of his servants in all matters relating to the ordinary course of the voyage, such as the stowage and right delivery of the cargo and other matters of this kind; but, on the other hand, the ship-owner should be exempt from liability for everything which comes under the head of accidents of navigation, even though the loss from these may be indirectly attributable to some fault or neglect of the crew."

By this Resolution a result has been arrived at which, on the whole, agrees with that which, in the meantime, had been attained by similar transactions in the United States of America, and which, in our opinion, is as good as it is possible to attain by private exertion, as the ship-owners retain liability for everything respecting the equipment and seaworthiness of the ship, the stowing, preservation, and proper delivery of the cargo, but are exempted from all consequences of accidents occurring during the voyage, whether they are a consequence of *vis major* or of the faults or errors of the master or the crew. Much contest might be avoided by a universal adoption of this bill of lading. But there is still much left to be done. There is doubt and disagreement amongst the lawyers as to what may be acceptable or not for stipulation in the bills of lading. In fact, it is not known if this bill, which now tries to work its way for acknowledgment in the business world in the different countries, will be taken for good by this or that Court of Justice, and, therefore, there still exists an insecurity which ought not to be found in a matter so important for the general intercourse, but which first can be done away with when the international legislation steps in.

Finally, it may, perhaps, be expedient here to mention that a Scandinavian Merchant Shipping Commission, in 1887, has submitted to the respective Governments a scheme to fuse their Sea Laws, by which the three distinct Codes, each very ancient and original, will bring up for future use a fresh Code, made up of the best parts of each.

DIVISION IV.—"*The proposed International Permanent Merchant Shipping Commission.*"

In addition to our general remarks in Part I as to the usefulness, &c., of the said Commision, we beg leave here to give a few suggestions as to its eventual composition, mode of action, and expenses.

* In a work entitled "The Law of General Average, English and Foreign" (fourth edition, London, 1888), by Richard Lowndes, Esq., Average Adjuster, all the subjects in this matter are treated in an exhaustive and interesting way, and, therefore, will be found useful as a trustworthy and able guide on all matters relating to the law of general average and its adjustment. In the Appendices are quoted the Laws that have been or still are in operation throughout the maritime world.

In the like manner, as provided for by the latest International Conventions (see the Post Convention, dated Paris, 1st June, 1878, Article 16, and the Revised Telegraph Convention, dated Berlin, 17th September, 1885, Article 14), a Permanent International Merchant Shipping Bureau should be established in London, with a staff consisting of a Chief Secretary, two Assistant Secretaries, and the necessary number of clerks, &c. This Bureau—which should be the intermediate link between the Governments as to the regular and general communications respecting the international sides of merchant shipping questions—would, under the control of the Commission, have to collect and arrange all sorts of informations in respect to International Maritime Laws or Regulations, to prepare the proposals received from the Contracting Governments, Maritime Institutions, or private persons, to be laid before the Delegates of the Commission, and, on the whole, to perform the different inquiries or other special tasks intrusted to it by the Commission. It should take charge of all the necessary publications, the Reports of the Conferences held by the Commission, and the correspondence (in the English language) with the Commission or its Sub-Committees, as well as with the different Maritime Institutions and the public in general.

The Chief Secretary should attend the Conferences of the Commission and take part in the discussion, but without right of voting.

The Bureau to prepare a yearly Report (in the English language) of its works, and to forward it to the Administrations of the Contracting States.

The common yearly expenses of this Bureau might probably be estimated at the same sum as proposed for the expenses of the Bureau of the International Customs Tariff Commission at Brussels. The sum to be participated by the Contracting States in proportion to the gross registered tonnage of their merchant steam-fleets, but otherwise in the manner settled by the other International Conventions.

The Permanent Merchant Shipping Commission to be composed of two or three Delegates from each of the Contracting States, of which one should be an expert in practical maritime questions, and the other an expert in maritime law. The Commission to hold conferences with intervals of at least two years, alternately in the capitals of the six most important Maritime States. The expenses of these conferences to be borne in equal proportions by the Contracting States.

For the sake of convenience we shall finally recapitulate the questions mentioned under the foregoing divisions as eventually belonging to the domain of the said Commission:—

(A.) International Regulations for preventing collisions at sea.
(B.) International Code Book of Signals.
(C.) International tonnage measurement.
(D.) 1. Reciprocal arrangements as to the disposal of the estates of deceased seamen.
2. Agreements as to reciprocal surrender of deserted seamen from merchant-vessels.
3. Reciprocal arrangements as to the relief of distressed seamen in certain cases.
4. Reciprocal agreements as to the prevention of "unauthorized boarding of ships."
5. (*a.*) The International Convention relative to the police of the fisheries of the North Sea.
(*b.*) The International Convention respecting the liquor traffic in the North Sea.

(E.) Official wreck inquiries.
(F.) Official survey as to the seaworthiness of merchant-vessels.
(G.) Agreements for preventing the transfer of unseaworthy vessels to the flags of other nations.
(H.) Uniform marking and lettering of names of ships, port of registry, register tonnage, and draught scale of feet.
(J.) Uniform conditions as to the right to carry the national flag.
(K.) Uniform conditions respecting the qualifications for the acquirement of master's, mate's, and engineer's certificates of competency.
(L.) General uniform system of buoyage.
(M.) Uniform Quarantine Regulations.

(N.) International uniformity in the law of damages caused by collisions at sea.
(O.) Uniform Salvage Regulations.
(P.) International uniformity in the Law of General Average.
(Q.) International uniformity in the Law of Affreightment and bill of lading.

Final Remarks.

As this Memorandum has only been based on informations which every one could have acquired by studying the official or other publications having appeared the last twenty years respecting maritime matters or problems, and as we are not in connection with any Government Department in possession of the necessary intimate knowledge to international communications of similar kind, it may be that negotiations have taken place between the different Governments about questions as to other merchant shipping matters of an international character; nevertheless, we hope we have represented the most important of them, and in every case enough to prove to the maritime public that there is still a rich field to be found for the improvement of the existing Agreements, and for the adoption of new ones.

Having witnessed the establishment of the Conventions mentioned in the introduction, which, in our opinion, are far less important in respect to the security of life and property, we have no doubt that this plan in times to come will be a reality.

We hope, also, that we have stated enough to show that the sea traffic now-a-days has a well-founded claim; that the further development of its many-sided relations ought not any longer to be

left to the initiative and labours of private persons, howsoever earnest and energetic they may be, and how great appreciations they deserve; that it will not suffice that the important questions, which will never find their final solution, but—even when solved for a time—will claim attention again before long, on account of the never-ending development of the shipping trade, and which, at all times, are of so great consequence for the international intercourse, separately and at long intervals are made the object for diplomatic correspondence between the Governments; but that the traffic requires a permanent central organ, which can collect the endeavours and lead them in a rational direction, having the duty and right to speak, and being able to give its expressions the necessary weight, where it is expedient to break the resistance which old customs or abuse may put up against every progress.

Even if this plan should meet with difficulties, it is not the quantity of these which is decisive, where there is a question of reform, but it is the worth and importance of the reform itself. Every reform will have difficulties to overcome, but if it is a good one, at last it will make its way, and this will also be the case here; but every one who has the welfare of the sailor and the behoof of the sea traffic at heart, ought to contribute his part, that too long a time is not lost before it happens. And it ought not to be forgotten that the realization of this plan aims at something more than the satisfaction of the behoof of the material interests; for it is through progress of this kind that the way shall be paved for a better mutual understanding between the nations, for better relations between them, and for a better comprehension of the truth that all the peoples of the earth, in spite of their national peculiarities, have got by Providence a common work to do and a common aim to strive for—the development of the whole mankind to a life in peace and harmony.

Therefore, we finish by expressing a hope that the honoured Congress will yield its valuable assistance to the furtherance of the objects aimed at by this Memorandum.

Copenhagen, September 1888.

(Signed) C. F. TIETGEN, *Chairman of the Copenhagen Chamber of Commerce.*
N. JACOBSEN, *Manager of the Copenhagen Marine Insurance Association.*
N. J. JESPERSEN, *Inspector of the Bureau Veritas.*
AUG. SCHNEIDER, *Chief Registrar of Shipping.*

Appendix (B).

Report of Committee upon Division XIII.

Réforme de la Loi Internationale du 4 Novembre, 1879, sur les Collisions en Mer et création de Tribunaux Maritimes Internationaux.

Pétition au Parlement Français et Lettre aux Présidents des Chambres de Commerce Françaises et Étrangères, par Albert Riondel, Capitaine de Frégate en Retraite, Officier de la Légion d'Honneur.

Préface.

DEPUIS plus de deux ans nous nous occupons exclusivement des questions de collisions en mer et droit maritime.

L'approbation presque unanime que nos propositions ont rencontrée, auprès de deux Gouvernements étrangers, de quatre grandes Chambres de Commerce et de deux Congrès Internationaux, nous décide à faire un nouveau pas en avant.

Nous publions dans ce Mémoire les divers documents officiels que nous avons reçus. Nous les faisons préceder d'une Pétition à la Chambre des Députés et au Sénat. Nous demandons respectueusement au Parlement de prendre l'initiative de la réforme. Elle consiste en deux points principaux:—

1. La création de Tribunaux Internationaux pour juger les litiges maritimes entre navires de nationalités différentes;

2. La modification urgente de la Loi Internationale du 4 Novembre, 1879.

Nous nous adressons aux Présidents des Chambres de Commerce des capitales des seize Puissances ayant adhéré à a Loi citée plus haut, ainsi qu'aux Présidents des autres Chambres de Commerce de France.

Nous leur demandons également de vouloir bien approuver les propositions de la Chambre de Commerce de Paris et de voter, en outre, une clause additionnelle; celle-ci serait, à notre avis, un remède efficace et le moyen certain (comme le demande cette Chambre) "de résoudre ces questions internationales de si haut intérêt, et de satisfaire aux besoins de la grande famille du monde commercial."

L'Avant-Propos, qui précède immédiatement les documents officiels, expose les diverses phases de la question.

Nous limitons à ce cadre restreint la publication que nous faisons aujourd'hui.

Nous réunirons plus tard, dans un nouveau Mémoire, toutes les études que nous avons insérées dans la presse depuis "la collision du 'Saint-Germain' et du 'Woodburn.'"

(Signé) ALBERT RIONDEL.

Pétition à la Chambre des Députés et au Sénat.

J'ai l'honneur de placer sous les yeux de la Chambre des Députés et du Sénat les documents suivants ; ils touchent à la création de Tribunaux Internationaux Maritimes et à la réforme de la Loi Internationale des Abordages du 4 Novembre, 1879.

Je demande respectueusement au Parlement Français :—

De vouloir bien approuver les propositions de la Chambre de Commerce de Paris, dans sa séance du 13 Juillet, 1885 ; cette Chambre a transmis, ce jour-là, au Ministre du Commerce " un Avis tendant à ce que le Gouvernement Français s'entende avec les Gouvernements étrangers pour résoudre ces questions internationales de si haut intérêt."

Le Président de la dite Chambre m'écrivait le 9 Novembre, 1885 : " La Chambre ayant statué dans un sens conforme à vos propositions ne peut que vous donner connaissance de ses Résolutions."

Ces dernières sont au nombre de trois :—

1. La première est relative à la manœuvre qui est imposée (en cas de collision) au navire isolé rencontrant à la mer un groupe de bâtiments réunis ensemble par des remorques. Le navire isolé est libre de ses mouvements ; il devra désormais se déranger de sa route et céder le pas au groupe qui continuera la sienne.

2. Les deux autres Résolutions sont résumées dans le passage suivant : " La Chambre de Commerce estime en conséquence que non seulement la création de Tribunaux Internationaux s'impose pour les besoins de la grande famille du monde commercial, mais qu'il conviendrait surtout que toutes les nations eussent un même Code Maritime."

Les documents du deuxième dossier annexé montreront aux Représentants de la nation que les Résolutions de la Chambre de Commerce de Paris (saisie de mes propositions le 1er Mai, 1885) avaient été également approuvées, presque sans réserve, par le Gouvernement d'Athènes ; les trois grandes Chambres de Commerce de France : Marseille, Bordeaux, et le Havre ; et Le Gouvernement des États-Unis.

Il s'agit de la protection de la vie sur mer ; il faut diminuer, dans une large mesure et dans le plus bref délai, le nombre toujours croissant des désastres maritimes que déciment et jettent dans le deuil et la misère tant de familles de toutes les nations.

Je demande respectueusement au Parlement et au Gouvernement Français de prendre la cause en mains et de se mettre à la tête de la réforme.

(Signe) Commandant ALBERT RIONDEL.

Cherbourg, le 15 *Décembre*, 1885.

Lettre adressée par M. le Commandant Albert Riondel, aux Présidents des Chambres de Commerce Étrangères et Françaises.

M. le Président, 18, *Quai Caligny, à Cherbourg.*

J'AI l'honneur de vous adresser respectueusement les documents suivants ; je vous prie de vouloir bien les soumettre à l'appréciation de la Chambre de Commerce. J'espère, en raison de l'intérêt même de la question, que la Chambre voudra bien examiner avec bienveillance les propositions que je prends la liberté de soumettre à sa haute attention.

Les deux Gouvernements des États-Unis et de Grèce* m'ont donné leur approbation complète. Les quatre Chambres de Commerce Françaises de Paris, Bordeaux, Le Havre, et Marseille ont été également du même avis.

Les lettres qui m'ont été écrites par le Secrétaire-Général du Congrès d'Hambourg et par M. le Baron de Lambermont, Ministre d'État de Sa Majesté le Roi des Belges et Président du Congrès d'Anvers† témoignent aussi de l'intérêt des deux Conférences Internationales au sujet de mes propositions.

La Chambre de Commerce de Paris demande à tous les Gouvernements de s'entendre " pour résoudre ces questions internationales de si haut intérêt." Elle trouve " que non seulement la création des Tribunaux Internationaux s'impose pour les besoins de la grande famille du monde commercial, mais qu'il conviendrait surtout que toutes les nations eussent un même Code Maritime."

Ce langage trouvera son écho dans toutes les Chambres de Commerce ; il se répercutera partout et accomplira la réforme. C'est un devoir d'arrêter le flot de ces hécatombes maritimes incessantes, qui frappent si cruellement les familles des différentes nations. " A un titre quelconque, soit par profession, soit pour leurs affaires ou leurs plaisirs," elles ont plusieurs de leurs membres qui voyagent sur le terrible élément, sous les diverses latitudes ; on leur doit des garanties et la sécurité.

Dans ma troisième note au Congrès d'Anvers, j'ai demandé, à titre permanent, la réunion d'une Commission Internationale composée de seize membres, appartenant aux seize Puissances ayant adhéré à la Loi Internationale du 4 Novembre, 1879.

Cette Commission aurait pleins pouvoirs, nommerait elle-même son Président, se réunirait au point qu'il indiquerait et quand il le jugerait utile. N'étant pas trop nombreuse, composée d'hommes compétents, elle ferait de bonne besogne et l'harmonie régnerait dans son sein.

Cette Commisssion ferait le projet de la Loi Internationale uniforme, si justement réclamé par la Chambre de Commerce de Paris. Elle s'occuperait enfin de toutes les questions relatives aux moyens de prévenir les collisions en mer.

Cette Commission Internationale, une fois nommée, ne serait jamais dissoute.

* Le Gouvernement Russe (d'après une correspondance de Saint-Pétersbourg du 28 Novembre, publiée par le "Soleil") vient également d'approuver mes propositions (*voir* au second dossier).

† Les comptes-rendus ne sont pas encore publiés.

Le 17 Mars, 1884, dans ma brochure du "Saint-Germain" et du "Woodburn," j'exprimais cette idée dans les termes suivantes :—

"La Loi Internationale du 4 Novembre, 1879, a été faite pour prévenir les abordages à la mer. Elle doit toujours rester ouverte au progrès. Chaque événement malheureux devrait être étudié avec soin et servir d'enseignement pour l'avenir. Il est nécessaire que l'expérience si chèrement acquise ne soit pas perdue."

Si vous partagez cette manière de voir, je solliciterai de votre haute bienveillance la faveur de proposer à la Chambre de Commerce l'adoption de la clause suivante :—

"La Chambre de Commerce de adopte complètement les propositions de la Chambre de Commerce de Paris ; elle demande la nomination immédiate d'une Commission Internationale composée de seize membres, appartenant aux seize Puissances adhérentes à la Loi du 4 Novembre, 1879.

"Cette Commission devra être permanente ; elle nommera son Président, qui aura pleins pouvoirs de la convoquer et de la réunir là où il le jugera utile ; elle préparera (comme le dit la Chambre de Paris) 'la solution de toutes ces questions internationales d'un si haut intérêt ;' elle étudiera avec soin les collisions nouvelles où elle trouvera 'un enseignement salutaire pour les prévenir à l'avenir.'"

Recevez, &c.

(Signé) ALBERT RIONDEL.

Avant-Propos.

Dans la nuit du 25 au 26 Août, 1883, vers 2 heures un quart du matin, le paquebot Français "Saint-Germain" rencontre un groupe de deux navires Anglais, à 30 milles dans le sud de Plymouth, le vapeur "Recovery" remorquant le "Woodburn."

La collision eut lieu : le "Woodburn" sombra et dix-huit hommes de son équipage disparurent après l'abordage.

Des circonstances particulières nous ont fait étudier cette affaire ; d'abord, dans la presse locale de Cherbourg ; plus tard, dans une brochure publiée à Paris, 19, Quai Saint-Michel, chez Léon Vanier, Éditeur ; elle porte le titre de : "Collision du 'Saint-Germain' et du 'Woodburn' et ses Conséquences ;" par Albert du Hailly.

La brochure a été inscrite, depuis, sous notre véritable nom, par ordre du Ministre de la Marine, sur les exemplaires qui ont été déposés dans les bibliothèques de ce Département.

La Compagnie Transatlantique eut connaissance des articles du "Phare de la Manche," qui avaient été reproduits par les journaux du Havre ; elle nous fit remercier par son capitaine du "Saint-Germain."

La brochure avait paru au mois d'Avril 1884. Au mois de Décembre, nous l'adressâmes par l'intermédiaire des Ambassadeurs à Paris, aux seize Puissances Maritimes adhérentes à la Loi Internationale du 4 Novembre, 1879 ; douze de ces Ministres voulurent bien nous répondre et envoyer notre livre à leurs Gouvernements.

Quelques mois après, les Ambassadeurs d'Italie et d'Espagne, ainsi que les Ministres des États-Unis et des Pays-Bas nous firent parvenir les remerciements de leurs Gouvernements.

Ces différentes pièces constituent le premier dossier.

Jusqu'au 13 Avril, 1885, nous n'avions encore reçu que des témoignages d'estime ; ils n'avançaient pas cependant la question de la réforme internationale.

La date du 13 Avril, 1885, a été le point de départ d'un progrès sérieux ; ce jour-là, Mr. Morton, Ministre des États-Unis, à Paris, a posé les bases de la réforme ; elle ne peut plus se faire attendre longtemps désormais.

Mr. Morton disait dans le second paragraphe de sa lettre : "Vous me demandiez de soumettre votre travail à l'appréciation de mon Gouvernement ; je l'ai fait et M. le Secrétaire d'État m'adresse aujourd'hui une copie de la correspondance échangée à ce sujet avec le Secrétaire du Trésor et le Commissaire de la Navigation. Vous verrez par cette correspondance, que je m'empresse de vous adresser, que votre proposition a été étudiée sérieusement et dans un esprit tout à fait sympathique."

Le Secrétaire d'État, de son côté, en transmettant le Rapport du Commissaire de la Navigation, se servait de ces termes : "Le Département donne pleinement son assentiment à ces idées."

Le Rapport du Commissaire de la Navigation est véritablement remarquable ; il démontre d'une manière irréfutable la nécessité urgente de constituer, à bref délai, des Tribunaux Internationaux pour juger les litiges maritimes entre nations différentes.

Le Gouvernement de Grèce faisait aussi étudier nos propositions ; il approuvait également la creation des Tribunaux Internationaux Maritimes et se déclarait "tout disposé à prendre part aux travaux de la Conférence, quand les Puissances décideraient d'en convoquer une."

Étant en possession de ces documents, la pensée nous vint de les communiqner aux trois Chambres de Commerce Maritimes du Havre, Marseille, et Bordeaux. Nous adressâmes un peu plus tard le même dossier à la Chambre de Commerce de la capitale.

Nous avons trouvé, dans ces quatres grandes assemblées commerciales, l'accueil le plus empressé et le plus courtois ; elles ont approuvé sans réserve toutes nos propositions.

La Chambre de Commerce de Paris s'est exprimée avec une grande énergie, dans sa délibération du 13 Juillet, 1885 ; on peut s'en faire une idée par le passage suivant de la lettre qui nous a été écrite le 9 Novembre, 1885, par son Président :—

"La Chambre de Commerce estime, en conséquence, que non seulement la création des Tribunaux Internationaux s'impose pour les besoins de la grande famille du monde commercial, mais qu'il conviendrait surtout que toutes les nations eussent un même Code Maritime."

La netteté et la précision de ce passage sont complétées par le dernier paragraphe de la lettre :—

"Par ces motifs, la Chambre de Commerce de Paris, à la date du 13 Juillet, 1885, a transmis à

M. le Ministre du Commerce un Avis tendant à ce que le Gouvernement Français s'entende avec les Gouvernements étrangers pour résoudre ces questions internationales de si haut intérêt.

"La Chambre ayant statué déjà dans un sens conforme à vos propositions ne peut que donner connaissance de ses résolutions."

Ce qui caractérise surtout cette décision, c'est la demande directe et officielle adressée au Gouvernement Français par la Chambre de Commerce de la capitale.

Le Gouvernement est prié de résoudre immédiatement "ces questions internationales de si haut intérêt."

Il s'agit de protéger la vie sur mer; le vœu du commerce de Paris sera exaucé, car il est partagé par l'opinion unanime des autorités citées plus haut.

En même temps que nous nous adressions aux Chambres de Commerce, nous consultions également les deux grandes Compagnies Maritimes des Messageries et Transatlantique; elles emploient un nombreux personnel de marins, et leurs bâtiments ont eu plusieurs fois des collisions; la dernière, avec son "Saint-Germain," venait d'avoir, dans le Jugement de Londres du 7 Décembre, 1883, des ennuis sérieux. Nous espérions donc qu'elles s'intéresseraient à la question.

La Compagnie des Messageries, dans sa lettre du 5 Mai, 1885, nous a répondu:—

"Nous n'avons dû que prendre connaissance avec intérêt du dossier que vous nous avez transmis; mais les questions qui s'y trouvent traitées dépassent évidemment la sphère de notre action; c'est seulement en s'adressant au Département de la Marine que M. Riondel peut, suivant nous, espérer arriver à une solution en ce qui touche les sujets spéciaux qui font l'objet de son travail."

La Compagnie Transatlantique n'a exprimé aucune opinion.

Toutes ces différentes pièces composent le second dossier.

Le Président de la Chambre de Commerce du Havre nous avait donné le conseil, dans sa lettre du 18 Juin, 1885, de nous mettre en relations avec deux Congrès Internationaux qui devaient se réunir: le premier, le 18 Août, à Hambourg, et le second à Anvers, le 27 Septembre, 1885. Nous avons suivi ce conseil; par l'intermédiaire des deux Consuls de France dans ces deux villes nous nous sommes mis en relations avec les Présidents des deux Conférences; nous avons trouvé chez eux l'accueil le plus encourageant.

Le Président du Congrès de Hambourg, M. le Dr. Sieveking, Président du Tribunal Civil Supérieur des Villes Hanséatiques, a mis une grande insistance pour nous engager à aller traiter en personne la question devant la Conférence; c'est ce qui nous a déterminé à faire le voyage de Paris et à adresser au Président du Conseil et aux deux Ministres des Affaires Étrangères et de la Marine, une demande qui n'a pas été accueillie.

Nous avons résumé, en quatre notes séparées, qui ont été envoyées au Président du Congrès d'Anuers, les diverses propositions qui résultaient, non seulement de l'étude de la collision du "Saint-Germain" et du "Woodburn," mais encore des divers travaux que nous avons faits plus tard, jusqu'à la fin de Septembre. Nous n'avions présenté qu'une seule note à la première Conférence de Hambourg.

Nous n'avions pas dû communiquer aux deux Congrès les Résolutions de la Chambre de Commerce de Paris; ces deux assemblées auraient, sans doute, pris des conclusions du même genre.

Comme nous l'avons dit plus haut, la Chambre de Paris avait statué le 13 Juillet; mais ce n'est que par la lettre de son Président (datée du 9 Novembre) que nous avons eu connaissance de ces Résolutions.

Les comptes-rendus des deux Congrès ne sont pas encore publiés; on ne connaît pas leurs Résolutions; toutefois, les deux lettres qui nous ont été écrites par le Secrétaire-Général de la Conférence de Hambourg, l'honorable M. Alexander, et par le Baron de Lambermont, Ministre d'État de Sa Majesté le Roi des Belges, sont un témoignage manifeste de l'intérêt que les deux grandes assemblées internationales ont bien voulu porter à la question; elles vont insérer les documents que nous avons soumis respectueusement à leur haute et bienveillante attention.

Ces pièces constituent le troisième dossier.

Une correspondance de Saint-Pétersbourg du 28 Novembre (journal le "Soleil") annonce que la première de nos propositions vient d'être adoptée par l'Assemblée Générale des Commandants d'Escadre, des Amiraux et Capitaines de Navires, qui s'est réunie dans ce but à Cronstadt.

Appendix (C).

Report of Committee upon Division XIII.

International Marine Conference.

Programme of Subjects.

(General Division XIII.)

"The establishment of a Permanent Maritime Commission."

(*a.*) The composition of the Commission.
(*b.*) Its power and authority.

AS a member of the Committee appointed to consider and report on the above-named Division, I beg to submit, for the consideration of this Committee, the following remarks:—

Section (b). The problem to determine the power and authority of any International Commission

has always been considered to be most difficult to solve, and this seems particularly to be the case when a Commission shall have to deal with maritime matters.

The second Northern Marine Conference held at Copenhagen July last year, which consisted of about 200 Delegates from the greater part of all existing maritime institutions in Norway, Sweden, Denmark, and Finland, and which represented a merchant fleet of a registered tonnage between 2,000,000 and 3,000,000 tons, ranging in order of all merchant fleets as the second or third, unanimously passed a Resolution by which the establishment of a Permanent International Marine Commission, with a Bureau, was recommended, and also that a Memorandum to this effect should be presented to the present International Marine Conference at Washington.

This Memorandum, which also has been distributed to the distinguished members of this Committee, will clearly show that it was not the intention of the Northern Conference that the proposed International Marine Commission, with permanent Bureau, should have any power or authority at all, and therefore in no way would interfere with the sovereignty of the different Contracting Powers. On the contrary, it should only form the connecting link between the different Maritime Governments and countries in all maritime matters of an international character. It should also be composed as much as possible in conformity with the Commissions or Conferences, and their permanent Bureaux, established under the Conventions about an international metre measure, about the international postage and the international telegraphy, which have acted with so much benefit to international intercourse.

As before said, the Northern Conference of 1888 proposed both a Permanent International Marine Commission, consisting of Delegates from all maritime nations, and a Permanent Marine Bureau.

Though in accordance with the principle of these proposals, I think it expedient at present, by the experience gained during the sittings of the present Conference, only to offer some suggestions as to the establishment of a Permanent International Marine Department or Bureau. The views entertained on the composition and mode of action of a Permanent International Maritime Commission seem at present to vary too much. For instance, in a Report presented to the present Conference by several French Marine Societies, dated Havre, 5th August, 1889, it is recommended (pp. 104-126) to establish a "Tribunal Suprême International établi en pays neutre, et composé de Magistrats Internationaux pour juger souverainement, en fait et en droit, les Jugements nationaux en dernier ressort qui lui seraient déférés."

As far as I know, the general opinion is that the time for such an institution has not come, and will not come for many years.

In the Report presented by the Branch Hydrographic Office, New York City, it is only said about the Permanent Commission mentioned in Division (B):—

"The establishment of such a Commission is to be generally desired, and much good can be done by providing for an annual meeting for the purpose of regulating maritime affairs.

"The composition of the Commission and its powers and authority should be settled by the Conference, and can become a part of the International Agreement."

Maybe the present International Conference will not be actually dissolved, but only adjourned, in order to assist in the further steps necessary for carrying into effect its proposals and recommendations, and so, for some time at least, could perform the part of an International Maritime Commission.

In consideration of these circumstances the following remarks only apply to the establishment of an International Maritime Department, or Bureau, which, of course, would have no other power or authority than that which would result from the knowledge that all international maritime matters taken up by such an institution would be treated with impartiality and by the best practical and scientific experts which can be procured in the whole world.

Section (*a*). As to the formation of the said institution, I particularly wish to draw the attention of the Committee to the Rules for the International Bureaux established according to the "Règlements annexés à la Convention Postale Internationale, Paris, 1er Juin, 1878, Article XVI, et à la Convention Télégraphique Internationale de Saint-Pétersbourg, révision de Berlin, le 17 Septembre, 1885; et à l'Union Internationale pour la Publication des Tarifs Douaniers; Bruxelles, 1888."

In accordance with the principles laid down in these Regulations, the International Department in question should be established in a great maritime city—presumably in London—and should, if no no International Marine Commission is established, be under the supervision of the Foreign Office in the country where it is domiciled. This Department would then be the intermediate link between the Governments as to the regular and general communications respecting the international sides of merchant shipping questions. Its principal data should be to collect and arrange all sorts of information in respect to International Maritime Laws or Regulations, to prepare the proposals received from the Contracting Governments, maritime institutions, or private persons, for the consideration of future International Marine Conferences, and on the whole to perform the different inquiries or other special tasks intrusted to it by the Contracting Powers. It should take charge of all the necessary publications and the correspondence with the different Governments, as well as with the different maritime institutions and the public in general.

The Department should also prepare a yearly Report of its labours, and forward it to the Maritime Departments in the Contracting States.

It should have a Staff consisting of a Chief Secretary, three or four Assistant Secretaries, and the necessary number of clerks, &c.

The Chief Secretary should attend the future Maritime Conferences, and take part in the discussion, but without the right of voting.

The common yearly expenses of this institution might probably be estimated at about 300,000 fr. yearly, which is 200,000 fr. higher than the yearly expenses for the International Postage Bureau at Berne, and 175,000 fr. higher than the expenses for the Bureau of the intended "International Customs

Tariff Commission" at Brussels; but having regard to the importance of the Maritime Department, its more costly residence, and the practical trials with light and fog apparatus, &c., which must be expected, it is not safe to estimate the yearly expenses at a lower sum. This sum might, perhaps, be defrayed by the Contracting Powers in proportion to the number of their merchant-ships above 100 tons gross tonnage, or in the manner settled by other International Conventions.

If it is asked who should appoint the officers belonging to such an institution, I should think that the simplest way would be to advertise over the whole world that an International Maritime Department is to be established with Secretaries and clerks, and then, if no International Maritime Commission is in existence, leave it to Delegates from the Contracting Powers, nominated expressly for that purpose, to make the selection among the applicants. The voting might perhaps be given according to the above-named proportion, and the said Delegates would no doubt be careful to select the officers from different countries in order to secure the greatest possible knowledge of the different languages.

As will be seen, there is nothing new or original in this plan, as it is only continuing in well-known and tried paths laid down by earlier International Conventions.

That such an institution would be a great benefit for all the countries which do not own such an excellent Department as the British Board of Trade is self-evident. Almost every maritime reform which is asked for in the different countries must be considered also from an international point of view, but at present it is often rather difficult to get the necessary information in this respect; while, if such a Department existed, in a short time, and in the most reliable manner, the necessary information would easily be obtained. This would no doubt assist the various Governments considerably in carrying through the proposed new Maritime Laws, as certainly the advices and recommendations from such an international institution would be listened to with respect, and, if otherwise acceptable, followed by the Legislative Assemblies. I should also think that if such a Department had existed before the present Conference took place much labour and time would have been spared. Many important questions raised, which are now dropped, in want of any institution to get them inquired into and tried, would also then get a proper treatment. For instance, in looking into the valuable Report of the Committee on Systems and Devices, I find the following remarks on several proposals on night-signalling, &c.:—

No. 5. "This signal-lantern appears a good lamp, and is well reported on by United States' naval officers."

No. 27. Light-house fog-horn. "Not within the scope of the Conference as regards light-houses, but is worth a trial on board ship."

No. 37. Lamp without a wick. "Committee cannot pronounce an opinion without comparing this lamp with others at sea."

"On Miscellaneous Subjects."

No. 23. "New system of lamps and electric buoy." "Committee cannot pronounce an opinion without seeing them at sea."

No. 25. White flash stern-light with model. "Worth the consideration of Conference if occulting stern-lights are introduced."

Here the question must strike everyone, "Who is to take care of these recommendations, and who is to make the necessary trials?

As a member of the Committee on Sound-Signals, I have also had the opportunity of looking into a great part of the seventy or eighty inventions or proposals as to fog-signals. Though some of these must be considered as valuable, and when times are ripe perhaps will be introduced in practice, I am afraid that no official notice will be taken of them, and that they therefore will be lost for the maritime world. On the contrary, if such an international institution existed, all such proposals and plans would be forwarded to it, registered there, compared with other proposals in the same direction, and, if possible, tried in practice. If the Department should be unable to do so with its own means, there would certainly be many maritime countries which willingly would, on an application to them from the Department, take the matter in hand and get the wished-for trials executed.

The Reports from the other Committees have not yet been laid before the Conference, and it is therefore not easy to know if the matters treated by them have been found to be of such a character that they ought to be arranged by International Agreements, or should be left only to be made by local Rules. If the questions are to be arranged according to International Agreements, I do not see how it at present can be done, whereas, if the said International Department existed, the valuable recommendations could be instantly acted on and carried into effect in a comparatively short time.

If it is asked what maritime matters, other than those contained in the programme, would by-and-bye come under the care of said Department, I should wish to draw the attention of the Committee to the fact that, in the opinion of the oft-mentioned Northern Conference, there are several other matters which are of such a character that they ought to be arranged according to International Agreements.

Of such matters there are named and shortly treated in the Memorandum presented to the present International Conference the following:—

1. International tonnage measurement.
2. Agreements for preventing the transfer of unseaworthy vessels to the flags of other nations.
3. Uniform Quarantine Regulations.
4. International uniformity in the Law of Damages caused by collision at sea.
5. Uniform Salvage Regulations.
6. International uniformity in the Law of General Average.
7. International uniformity in the Law of Affreightment and bills of lading.

I only mention these questions in order to show that there is a number of international maritime

questions which should be prepared by a Department of the said kind, to be laid before future International Maritime Conferences.

The maritime institutions in the north of Europe take the greatest interest in this question, and the standing Committees of the Northern Maritime Conferences have expressly wished that I should do my best to gain the good-will of the present International Conference for the plan herein mentioned. I therefore sincerely hope that this important Committee will see its way to meet the wishes of the Northern Conference by recommending the establishment of an international institution of the described kind.

Finally, I may add that the Scandinavian ship-owners have so keenly felt the want of a head-quarters that they, in this year, have established a common Central Maritime Bureau at Copenhagen, wholly at their own expense.

(Signed) AUG. SCHNEIDER. *Delegate from Denmark.*

Washington, November 25, 1889.

To the Committee appointed to consider and report on General Division XIII.

Appendix (D).

Report of Committee upon Division XIII.

Union Syndicale Mutualiste des Inscrits Maritimes du Havre et Syndicats de Navigateurs Français adhérents.

Rapport sur le Programme du l'Amiral Franklin, Président de la Conférence Maritime Internationale de Washington, par M. T. Augé, Capitaine au Long Cours, Président de l'Union Syndicale Mutualiste des Inscrits Maritimes du Havre, Membre de plusieurs Sociétés Savantes.

Conférence de Washington.—Programme Officiel de l'Amiral Franklin.

Rapport sur le Chapitre XIII.

Chapitre XIII.—*Commission Interpermanente, sa Composition, ses Pouvoirs, et les Tribunaux Internationaux.*

LA mer libre n'est la propriété de personne ; elle est d'un usage commun à tous les peuples navigateurs. Le développement de la navigation avec les engins modernes, les richesses immenses que l'on confie à la mer, les bienfaits économiques, qui en résultent pour tous les peuples de la terre, ont nécessairement de tous les temps appelé l'attention des Gouvernements civilisés sur l'usage que les navigateurs font et doivent faire de cette mer libre, qui n'est et ne saurait être, ni le patrimoine commun des peuples maritimes, ni le patrimoine particulier d'aucune nation.

Chaque nation, chaque peuple maritime, à le droit de faire dans la mer libre tout ce qui lui convient, à la condition cependant de ne pas nuire à la liberté d'autrui.

Et c'est de ce principe vrai que découle le droit incontestable pour les Gouvernements Maritimes de régler impersonnellement et dans un intérêt commun, l'usage de cette mer libre, usage, nous l avons dit, qui ne doit avoir pour bornes que la liberté des autres ; de là, la condition essentielle que tous les peuples qui naviguent soient soumis à cette loi commune qui règle l'exercice que l'on doit faire de cette propriété neutre, qui ne saurait avoir un maître et dont l'usage est imprescriptible.

La Conférence doit donc être composée des Représentants de tous les peuples maritimes, et ses pouvoirs peuvent alors s'exercer légitimement sur tous les actes de la navigation qui ont un caractère d'intérêt général commun à tous les navigateurs, pour l'usage qu'ils font de cette mer libre ; en un mot, pour protéger la liberté d'autrui, dans l'exercice de sa propre liberté.

Et c'est pour cela qu'il est nécessaire aujourd'hui, en présence des dangers que font courir les bateaux rapides aux autres navigateurs, que les nations civilisées se réunissent, pour poser les bases d'un Code International commun à tous les peuples maritimes ; et établissent des règles fixes pour les conflits internationaux qui peuvent surgir dans cette mer libre et pour éviter les catastrophes fréquentes qui font gémir l'humanité.

La Conférence de Washington d'après le programme n'a pas d'autre but.

Pour arriver à des résultats pratiques, nous pensons qu'après la vérification des pouvoirs des Délégués la Conférence devrait se diviser en cinq Commissions, et siéger en permanence jusqu'à ce qu'une solution définitive sorte de ses travaux :—

1. Une Commission révisant le Règlement International de 1884, composée de marins-manœuvriers ayant exercé de longs commandements à la mer, à la voile, et à la vapeur ;

2. Une Commission pour examiner les signaux visuels de jour et de nuit, phoniques, &c. ; composée de marins-timoniers, car il faut pour cela être spécialiste, avoir des connaissances particulières sur cette partie du programme ;

3. Une Commission de marins-ingénieurs, étudiant la navigabilité des navires, le tirant d'eau, les bouées et balises, enfin tout ce qui concerne le génie maritime ;

4. Une Commission de marins hydrographes, étudiant le tracé des routes d'aller et de retour sur les cartes à l'usage des rapides, pour les points les plus fréquentés par ces sortes de navires ;

5. Une Commission de marins-légistes, pour établir les règles qui doivent prévenir les conflits et régler tout ce qui concerne la procédure entre navires de nations différentes.

Les cinq spécialités ci-dessus indiquées se rencontreront certainement dans les Délégues des seize nations adhérentes, et à cette condition, l'œuvre de la Conférence sera féconde et pratique, nous ne saurions en douter, la nomination des Délégués des États-Unis et la spécialité connue des membres qui la composent, nous est un sûr garant du succès ; si les autres nations, comme il n'y a pas lieu d'en douter, s'inspirent des mêmes idées et des mêmes sentiments.

Nous allons dans ce dernier Rapport traiter les réformes et les créations qui nous semblent nécessaires, sans toucher au droit des gens, pour arriver à la solution pratique du problème qu'à notre avis devra résoudre la cinquième Commission de la Conférence.

Cette grave question de juridiction internationale est une des plus délicates qu'ait à traiter le Congrès, et cependant elle est des plus nécessaires et des plus urgentes à résoudre ; nous croyons que, sans froissement aucun, elle peut être résolue d'une manière équitable et pratique, sans empiéter sur les droits souverains de chacune des Puissances Contractantes.

Prétendre créer des Tribunaux Internationaux à un ou deux degrés, dans les grandes Métropoles Maritimes, ne nous paraît pas pratique.

Il suffirait, selon nous, d'un Tribunal Suprême International établi en pays neutre, et composé de Magistrats Internationaux pour juger souverainement, en fait et en droit, les Jugements nationaux en dernier ressort, qui lui seraient déférés. La procédure serait simple et peu coûteuse; elle aurait lieu sur requête, sans ingérence d'avocats ni d'avoués.

Les documents de la cause, les dits, les contredits, fournis par les parties, le Tribunal prononcerait souverainement dans un délai déterminé.

Ce Tribunal aurait dans sa compétence, au point de vue des réparations civiles, toutes les contestations résultant de délits et de quasi-délits, par suite de violation du Règlement International relatif aux collisions.

Pour les Tribunaux nationaux devant connaître de ces réparations civiles jusqu'en dernier ressort, une simple règle de procédure, qui se pratique même souvent dans les pays hors d'Europe par nécessité, devenue générale, suffirait à notre avis comme réforme des Tribunaux Nationaux, pour juger les questions d'abordages.

On a parlé de célérité dans les affaires de ce genre en matière de procédure maritime devant les Tribunaux de Commerce Français, et même ailleurs, devant l'Amirauté Anglaise, la procédure est ce qu'il y a de plus sommaire et de plus rapide.

En France un procès maritime n'est point long ; il a d'abord la priorité pour le rôle ; il ne faut que le temps moral et nécessaire pour l'instruction ; ce sont parfois le où les experts qui ne sont pas prêts pour leur Rapport, ou même le plus souvent les avocats des parties qui font remettre l'affaire.

N'importe quels Tribunaux que l'on créerait sous n'importe quelle dénomination, ces Tribunaux ne pourraient moralement être plus expéditifs que nos Tribunaux de Commerce, successeurs de nos anciennes Amirautés.

Ces Tribunaux ont-ils toujours, en fait, toute la compétence nécessaire pour prononcer sur des faits purement techniques ?

Parfois, selon la composition du Tribunal, et toujours par des experts techniques ayant beaucoup navigué.

Par là, on comprend le rôle considérable que jouent les experts dans les questions maritimes internationales soumises à l'appréciation des Tribunaux, questions spéciales s'il en fut, car, quiconque n'a pas navigué ne peut se rendre un compte bien exact des faits purement techniques qu'il peut être appelé à juger. Nous sommes sur ce point en désaccord avec les Arrêts de la Cour de Cassation du 2 Juillet, 1828, et 13 Décembre, 1842.*

Dans la vie ordinaire, bien que l'on n'exerce pas une profession, l'ensemble des connaissances générales que l'ont peut posséder permettent d'avoir un aperçu de cette profession. La vue, les relations, les entretiens avec des hommes compétents, la vérification d'un fait, toujours facile et possible par soi-même, peuvent permettre à tout homme éclairé d'avoir une idée de la chose qui est soumise à son appréciation ou à son jugement.

Ce serait une grande erreur de croire qu'il peut en être ainsi des faits techniques passés à la mer entre ciel et eau. L'équipage lui-même, rompu au metier, souvent ne peut se rendre compte, sur le coup, de la situation et des causes qui ont pu motiver une manœuvre de préférence à une autre qui semblait naturellement indiquée, et les Magistrats Consulaires ou autres qui ne sont pas de la partie, malgré leur plus grande science juridique, il faut bien le dire, sont certainement ignorants des causes qui ont déterminés les faits qu'ils sont appelés à juger, ne les connaissant que par le rapport des experts.

La pierre angulaire de toute procédure pour des faits maritimes se rattachant aux collisions réside dans l'intégrité et la capacité des experts et dans la fidélité littérale de la traduction des documents servant de base légale au procès. Le rapport des experts en ces matières est généralement homologué ; c'est donc ces derniers qui en fait sont les véritables juges, les Magistrats prenant leurs décisions sur leurs dires, et n'étant, en un mot, que l'écho de leurs conclusions.

En vain, nous dirait-on, que le droit peut parfois être appliqué différemment à des faits déterminés ; ceci est possible, mais pas en matière d'abordage ; si le contraire a eu lieu, c'est que les

* Ces Arrêts disent : "Les Juges sont aussi souverains appréciateurs de l'abordage ; ils peuvent se dispenser d'avoir recours à une expertise s'ils trouvent dans la cause des éléments suffisants de décision." Nous sommes contraire à cette doctrine, estimant que la justice ne saurait jamais être trop éclairée.

documents relatant les faits n'étaient pas les mêmes, et s'ils étaient les mêmes, ils n'étaient pas traduits par la même personne.

Voici, à notre avis, ce qu'il serait important de faire pour que le Tribunal ayant à se prononcer sur un fait international d'abordage donnât une entière garantie d'impartialité aux parties sans toucher à l'organisation judiciaire.

Il faudrait que dans toutes les affaires de ce genre le Rapport de l'affaire fut fait par trois experts et jamais par un seul, avec mission d'arbitre ; procédure néfaste qui donne à un homme, sans responsabilité, le droit que la loi dénie à un seul Magistrat.

Si les parties veulent régler amiablement leur litige, rien de mieux, mais alors qu'elles nomment leurs arbitres en dehors du Tribunal. Les trois experts seraient nommés, un par le Tribunal et les autres par chacune des parties.

Le défendeur ou l'ajourné assisterait ainsi, par représentation, à l'instruction de l'affaire ; il serait certain de l'exactitude des documents traduits versés aux procès, ainsi que du sens technique des dépositions de l'équipage de l'un ou de l'autre navire.

Les experts pourraient être de n'importe quelle nationalité, à l'exception de celui nommé par le Tribunal bien entendu que les autres devraient parler la langue dans laquelle le Rapport sera fait ; c'est là l'innovation.

En vain objecterait-on que cela ne modifierait pas le Code différent, suivant le pays où le litige serait jugé.

Nous répondrons que cette différence de Code en matière d'abordage n'a au fond qu'une faible importance, si toutefois elle en a ; que s'il est différent quant aux règles de procédure, il ne l'est radicalement jamais un fond ; que toutes les nations policées ont dans leurs lois ce principe d'équité et de justice : que quiconque par sa faute porte préjudice à autrui est tenu de le réparer. Or, le principal est l'appréciation de la faute, c'est-à-dire, de connaître laquelle des deux parties a violé le Règlement International ; le Code particulier de chaque pays, si différent qu'il soit, n'a rien à voir à cette constatation du fait, qui est universelle.

Il en est de même pour l'évaluation des dommages. Un cas seulement peut offrir certaines divergences pour l'application de la pénalité ; c'est quand il y a faute commune ; le mot douteux étant impropre dans ce cas, la répartition des dommages entre les parties n'est pas la même dans les différents Codes. Nous estimons, nous, qu'il est facile d'y remédier ; la faute commune ne pouvant être assimilée aux cas fortuits, il y aurait à prendre un terme moyen, faire masse des dommages, et diviser par moitié, comme l'indique l'Article 407 du Code Français, en changeant cependant, pour plus de clarté, les mots : " s'il y a doute dans les causes," par ceux-ci : " s'il y a faute commune, quant il y aurait doutes dans les causes, il y aurait cas fortuit."

Il est en France une institution vermoulue qui est en contradiction formelle avec les principes qui régissent son Gouvernement, qui, lors de l'existence des droits prohibitifs de douane, pouvait, selon le dire de bien des gens, avoir sa raison d'être, bien que nous n'en pensions rien. Elle était, disent-ils, l'auxiliaire du fisc pour la surveillance, comme depuis longtemps notre régime douanier a été réformé, que des docks-entrepôts ont été créés dans tous les ports, où les matières soumises encore à de fortes taxes entrent ; par la création de ces docks-entrepôts on peut dire que la Douane à les navires et les marchandises dans sa main, et, par suite, un contrôle facile et constant des déclarations faites à l'entrée par le capitaine.

Cette institution caduque n'a aucune raison d'être ; ses services vis-à-vis de l'État sont nuls, et vis-à-vis du commerce maritime, pour ses rapports avec la Douane, inutiles et très onéreux.

La preuve de son inutilité c'est que nos plus grands armateurs se privent de ses services ; ils ne sont donc pas indispensables ; un simple commis fait sa besogne.

Et la preuve qu'ils sont très onéreux, c'est que bien des navires étrangers ne veulent plus venir dans certains ports pour ne pas être taxés et rançonnés pour des services que leurs capitaines ou le consignataire du navire peuvent faire.

Cette institution pèse d'un poids considérable sur les relations maritimes de certains ports avec l'étranger, et surtout dans les affaires litigieuses, bien que la compétence, en fait, des courtiers maritimes soit toujours contestable ; cette ingérence a une influence pernicieuse sur la procédure, les courtiers étant les traducteurs des documents ; les navires sont, en outre, frappés d'une taxe obligatoire par la force des choses, allant en moyenne à 1 fr. par tonneau de jauge, non pas au profit de la navigation, ni des œuvres du port, mais de huit ou neuf personnes, jouissant d'un monopole exclusif, alors que les pouvoirs publics se privent trop souvent de certaines améliorations d'intérêt général, pour ne pas frapper les navires de taxes nouvelles, dont ils sont déjà surchargées.

Ce monopole est aujourd'hui le plus grand obstacle au développement du commerce maritime avec l'étranger.

La France et le commerce maritime ont tout à gagner à la disparition de ce scandaleux monopole.

Il y a longtemps que pour l'intérêt économique du pays il ne devrait plus exister.

La France est la seule nation maritime qui ait conservé cette institution surannée. Singulière chose, l'on s'acharne à soutenir qu'elle est nécessaire pour l'intérêt des navires étrangers, quand ces mêmes navires déclarent et proclament qu'elle leur est inutile et agissent même auprès de leurs Gouvernements pour qu'ils négocient avec le Gouvernement Français l'abolition de ces charges onéreuses de courtiers maritimes. Les revendications fréquentes des courtiers devant les Tribunaux pour faire respecter leur monopole sont la preuve la plus éclatante de leur inutilité et de leur impopularité.

Ces officiers Ministériels, à l'abri de leur monopole, ont seuls le droit de traduire les documents de procédure ou autres devant les Tribunaux de Commerce, et c'est pour cette dernière fonction incompatible, moralement, avec la première, que la question des courtiers maritimes nous intéresse et que nous nous sommes occupés d'eux dans ce Rapport.

C'est comme truchements avec la Douane et comme interprètes jurés que nous demandons une

réforme radicale ; cette double fonction pèse sur leurs traductions, ces dernières, pour ce qui est des faits, peuvent paraître parfois nébuleuses et équivoques ; et pourraient ainsi changer par leurs indécisions même la face d'un procès si les experts chargés de l'examen des faits ne connaissaient pas la langue dans laquelle le Rapport des capitaines est écrit. Mieux vaudrait une traduction littérale que la loi et la morale exigent qu'une traduction qui, quelquefois pourrait avoir la prétention d'expliquer le fond d'une cause qui, par sa nature, ne peut être sérieusement connue du traducteur.

Et, par une anomalie incompréhensible, c'est toujours le courtier truchement du navire qui traduit les documents du capitaine demandeur ou défendeur dont il est mandataire, et c'est cette traduction des documents du litige faite par ce mandataire qui sert et servira de base à toute procédure ; le courtier est souvent, à l'insu des Magistrats et des experts, juge en sa propre cause. Qu'on examine de près cette question, qui n'a rien de comparable dans aucune législation, et l'on verra le bien-fondé de nos observations ; c'est une énormité scandaleuse qu'on est étonné de voir subsister encore, car les fonctions d'interprètes jurés, cumulées avec celles de *negotiorum gestor*, sont immorales.

Nous estimons, dans un intérêt de justice, que les interprètes jurés près les Tribunaux compétents pour juger les contestations internationales maritimes dans tous les pays, doivent être des officiers relevant du Tribunal, et ces fonctions incompatibles avec celles de mandataire officiel ou officieux du capitaine ou de l'armateur qui est en cause.

C'est en général de la traduction du Rapport et de l'interrogatoire de l'équipage que l'on connaît les circonstances de la cause, expliquant les événements ; c'est de la traduction littérale du Rapport du capitaine, narration fidèle des faits, que les experts déduiront leurs conclusions.

Comment admettre que ce soit l'homme du demandeur ou du défendeur qui traduise ces faits, énoncés à un moment où le capitaine ne pouvait prévoir la procédure, temoignage précieux de l'exactitude des faits, et auquel la loi attache une importance capitale.

Malgré toute la délicatesse de son caractère et des fonctions qu'il remplit, un doute doit nécessairement planer sur la traduction d'un courtier maritime qui, dans l'intérêt de son client, dirige la procédure ; difficilement un avocat montrerait au Tribunal une pièce, un document qui pourrait être préjudiciable à son client ; il ne montrerait que ceux qui pourraient être utiles à sa thèse ; il n'est pas malhonnête pour cela ; il défend l'intérêt de son client qui le paye ; le courtier maritime fait de même.

Nous pensons donc qu'il est de la plus grande urgence que le monopole des courtiers maritimes en France soit aboli, et que dans tous les pays maritimes les interprètes près les Tribunaux qui jugent les matières maritimes internationales soient des fonctionnaires attachés au Tribunal, n'ayant aucun intérêt ni moral, ni matériel dans les litiges, n'ayant aucun rapport avec la profession d'agent maritime.

De cette manière, à notre avis, les documents remis aux experts seraient la représentation exacte, littérale, des faits arrivés, traduction faite par des hommes complètement désintéressés à la solution positive ou négative du litige, traduction faite sans aucun artifice. Combien d'abus ce sont produits à l'insu de bien des gens, des traducteurs mêmes, dominés qu'ils étaient par les fonctions de mandataire d'une des parties ; ce dédoublement de la même personne dans les fonctions aussi délicates et aussi opposées ne peut être décemment maintenu ; il est immoral ; la Conférence a le droit d'en demander la suppression.

Voilà, selon nous, dans l'organisation de la procédure des Tribunaux Nationaux jugeant des questions internationales en matière d'abordage, les réformes à faire pour avoir une justice prompte, peu coûteuse, équitable, sincère et juste, donnant satisfaction aux droits des parties à quelque nation qu'elles appartiennent.

1. Nomination des trois experts, un par le Tribunal qui doit connaître le litige, un par chacune des parties, sans obligation de nationalité ; si les parties n'avaient pas désigné leurs experts dans un certain délai, le Tribunal y suppléerait d'office ;

2. Traduction des Rapports et de l'interrogatoire de l'équipage par des traducteurs jurés autres que les courtiers maritimes ;

3. Compétence de juridiction et de procédure, telle qu'elle existe dans chaque pays pour juger les faits maritimes jusqu'en dernier ressort, en France jusqu'à l'arrêt d'appel, et dans les autres pays par analogie.

Une fois l'arrêt rendu, la partie qui se croirait, malgré les précautions prises que nous avons indiquées, soit pour la traduction, soit pour l'examen des faits, être mal jugée, se pourvoirait devant le Tribunal Supérieur Internationale, qui jugerait, tant en fait qu'en droit, le litige, et transmettrait par la voie diplomatique au Ministre compétent du pays de la partie condamnée, une expédition traduite de la sentence fidale. Cette dernière serait exécutée à la requête de la partie conformément aux lois du pays et dans les mêmes formes que l'exécution des arrêts souverains émanant de la juridiction nationale.

Le pourvoi devant le Tribunal Supérieur International ne serait pas suspensif, l'arrêt serait exécutoire par provision, si provision n'avait déjà été faite ; signification du pourvoi serait faite dans les vingt-quatre heures au domicile de l'intimé, domicile indiqué dans l'arrêt ; le délai de pourvoi serait d'un mois à partir de la signification de l'arrêt, d'avoué à avoué, ou au domicile indiqué du lieu où l'arrêt a été rendu.

Les parties feraient élection de domicile, si elles étaient étrangères, au Consulat du lieu de juridiction ou du lieu le plus rapproché qui aurait un Consulat.

La transmission de la sentence souveraine par le Président du Tribunal Supérieur équivaudrait à une demande d'exequatur qui, en vertu du règlement ou du pacte international, ne pourrait jamais être refusé.

Pour les collisions entre navires de guerre ou entre un navire de guerre ou assimilés, et un navire de commerce, l'examen de l'affaire ressortirait directement du Tribunal Supérieur International, sans passer, bien entendu, par les Tribunaux Nationaux.

Les procès-verbaux et tous les documents conservatoires pour pouvoir ouvrir plus tard l'instance

de devant le Tribunal Supérieur ou autre, seraient faits à la chancellerie du Consulat ou du Vice-Consulat de pavillon ; cependant, s'ils étaient faits contradictoirement, on procéderait devant le Tribunal compétent du lieu, qui nommerait un expert et les parties, chacun un ; ces derniers feraient les constatations, évalueraient les dommages ; le navire procéderait à ses réparations, &c.

Le Tribunal du lieu n'aurait qu'à donner la sanction légale aux actes, requêtes, et ordonnances qui lui seraient remises ou demandées, en un mot, comme l'on procède en matière d'avaries dans le port de relâche.

Les avaries n'étant réglées que plus tard, au lieu de reste du navire, dans l'espèce ce serait devant le Tribunal Supérieur ; on agirait de même si ce Tribunal du lieu n'était pas compétent pour juger le fond entre navires de commerce.

Il nous semble que de cette façon aucune nation n'aurait abdiqué le droit de rendre de la justice chez elle, conformément à ses lois et à ses mœurs. Le pourvoi devant le Tribunal Supérieur n'aurait certainement pas lieu dans tous les procès, les parties comme les Tribunaux Nationaux étant mieux et plus équitablement éclairées par la Commission d'Experts vraiment internationaux.

On regarderait à deux fois auparavant de prendre une décision, sachant que le Tribunal souverain peut casser la sentence ou l'Arrêt et le modifier.

Cette juridiction suprême ne serait, en un mot, selon nous, qu'un arbitre éclairé, indépendant, d'un conflit d'intérêts internationaux.

Ainsi dans l'affaire du " City of Mecca " avec le bâtiment Portugais " Insulano," il paraît que l'Arrêt rendu à Lisbonne fut loin de donner satisfaction à l'Angleterre ; comment trancher sans froissement cette difficulté, cette défiance ? Par notre système d'experts internationaux, la sentence aurait d'abord pu être différente et ensuite, en admettant qu'elle eut été la même, l'Angleterre, mieux éclairée, n'aurait peut-être pas fait de récrimination ; et si, malgré la Commission d'Experts, elle avait eu quand même un doute sur l'impartialité de l'Arrêt, après avoir épuisé à Lisbonne le dernier ressort, elle se serait adressée au Tribunal Supérieur International qui, sur le vu des documents de la cause, traduits à nouveau par des traducteurs jurés, les faits nouvellement examinés par des experts jurés nommés par lui ; rapport d'experts qui aurait été communiqué aux parties ou, dans un temps fixé, elles auraient eu la faculté de fournir des contredits. La sentence de Lisbonne aurait été maintenue ou réformée en tout ou en partie, et cette nouvelle sentence définitive aurait terminé l'affaire ; tous devant s'incliner au prononcé de ce verdict désintéressé.

Si nous ne nous trompons, le Ministre Anglais à Lisbonne demandait à soumettre le Jugement à une Cour d'Appel Internationale ; notre manière de voir est au fond, sinon dans la forme, pareille à la sienne.

Reste l'examen de la compétence du lieu où le litige doit être jugé.

Le droit de rendre la justice est un droit souverain que les nations n'abdiquent pas avec raison facilement.

Or, un navire qui a commis des dommages ou fait des déprédations à un autre navire est nécessairement justiciable de la juridiction compétente du lieu où les dommages et les déprédations ont été commis, sauf à lui, s'il se trouve mal jugé en dernier ressort, d'en appeler au Tribunal Supérieur International, que nous demandons d'établir. Nous entendons par lieu, la zone territoriale, comme les ports, rades, fleuves, &c., à la condition qu'un des deux navires, le défendeur, sinon tous les deux, s'arrêtant dans un des ports du souverain de la zone, où les dommages ou les déprédations ont été commis, et puisse y recevoir l'assignation ou même la protestation, peu importe son déplacement ultérieur.

Les dommages faits et les déprédations commises à un navire dans la mer libre doivent être justiciables des Tribunaux compétents du domicile du défendeur.

Celui qui a commis un crime ou un délit ou quasi-délit, dans la mer libre, est nécessairement justiciable des Tribunaux respectifs de son pays, le navire dans la mer libre étant la continuation de la patrie, continuation qui cesse et qui doit cesser dès qu'on est chez un autre Souverain, excepté pour les contestations civiles et administratives, entre le capitaine et l'équipage et même les passagers embarqués dans un port du pavillon du navire, le contrat qui lie toutes ces personnes entre elles, n'étant pas un contrat universel mais un contrat spécial, tenant souvent aux lois intérieures d'un État, comme en France par exemple, où par l'inscription maritime, le capitaine ne peut être autorisé à laisser à l'étranger un homme inscrit ; on comprend que si la juridiction du lieu est compétente pour connaître de tous les actes civils que traite un capitaine au point de vue du commerce, en général, et comme conducteur du navire et mandataire de l'armateur. Il n'en est plus de même des contrats qui se forment naturellement par les lois du pays du pavillon, par le seul fait de l'inscription sur le rôle d'équipage. Les hommes ainsi engagés ont accepté la Loi spéciale du pays et les Tribunaux étrangers au pavillon ne sauraient l'interpréter étant censés l'ignorer, sauf les Traités sur les Capitulations.

En matière civile et commerciale pour le sujet qui nous occupe, il y a deux domiciles distincts pour le défendeur : le domicile du propriétaire du navire et le domicile conventionnel du capitaine à son bord, et dans le lieu où se trouve le navire au moment des poursuites, peu importe le déplacement antérieur.

On pourrait nous objecter, que souvent il est difficile de savoir lequel est le défendeur ; nous répondrons qu'à moins que les assignations soient simultanées, il y en a toujours un qui commence, le second n'est donc demandeur que reconventionnellement, et cette dernière qualité ne lui enlève pas celle de défendeur.

Mais nous ferons encore observer que dans les affaires qu'on pourrait nous citer comme les deux parties étant demanderesses, elles ne l'étaient précisément que pour échapper aux Tribunaux étrangers et être jugées par les Tribunaux de leur pays. La chose n'est plus la même ; il n'y a que les Tribunaux du domicile du défendeur de compétents ou ceux du lieu de relâche pour les quasi-délits commis dans la mer libre, et celui du lieu des dommages pour les quasi-délits commis sur le territoire d'un Souverain.

Le domicile ainsi établi, il ne peut y avoir aucune contestation fondée sur le pays qui doit

connaître du litige, parce qu'il est conforme aux droits des gens en ce que le défendeur n'est privé de ses juges naturels que par son déplacement émanant de sa volonté et de sa liberté.

Ce domicile n'empiète sur aucun droit souverain, bien que le demandeur ait le droit pour un quasi-délit commis dans la mer libre, entre le domicile du défendeur et le lieu où relâche le navire poursuivi, ce choix se justifie même par le peu de garantie que pourrait offrir dans certains endroits la juridiction territoriale ; mais ce choix n'aggrave pas la situation du défendeur, puisque c'est devant les Tribunaux de son pays qu'il sera poursuivi s'il ne l'est au lieu de relâche.

Et quant au conflit qui pourrait exister sur la qualité des parties, il ne serait pas à redouter ; ou les Arrêts seraient les mêmes, ou ils seraient divergents ; celui se croirait lésé se pourvoirait devant le Tribunal Supérieur International ; mais, nous. le répétons, nous ne croyons pas au conflit de juridiction, par la seule raison que ce qui les motive actuellement, disparaît par notre système.

Lorsque les dommages auraient été commis en un lieu appartenant à un Souverain, à moins d'un accord des deux parties désignant un autre lieu de juridiction de droit, la juridiction du lieu serait compétente.

Cette manière d'établir la compétence du lieu nous paraît raisonnable et logique, et nous semble donner la satisfaction nécessaire que réclament des intérêts considérables, tout en respectant les droits souverains ; elle offre de rendre une bonne et prompte justice, dont, du reste, si l'on était mal jugé, nous le répétons, le dernier mot appartiendrait au Tribunal International.

Dans certains pays il n'y a pour les collisions qu'un seul degré de juridiction ; en France il y en a deux, cette différence tient uniquement à l'organisation de la procédure dans les différents pays et aussi à la composition du corps judiciaire.

Le mal n'est pas dans un, ni dans deux degrés de juridiction ; il est dans des traductions parfois inexactes, si elles ne sont pas littérales, et dans la Commission d'Experts où l'étranger n'a pas toujours toute la garantie désirable.

On doit désirer aussi la rapidité de la procédure ; pour cela, il faut autant que possible la moins compliquer ; elle ne l'est pas en France ; mas malgré tout, ce qu'il faut, c'est une bonne et impartiale justice ; c'est sans doute quelque chose d'aller vite ; nous estimons qu'en ces matières il vaut mieux encore aller bien.

Ces principes nettement établis ne gêneraient en rien un navire, qui aurait des dommages, pour relâcher, puisque en quelque lieu qu'il se trouverait, il pourrait être légalement arrêté, sans que son Gouvernement puisse élever un conflit ; il n'aurait aucun intérêt à fuir ; le droit d'arrêter un navire existerait sur la présentation de la protestation régulière et, sur requête, tant que l'action ne serait pas prescrite pour la saisie, le Président du Tribunal pourrait en outre exiger caution du saisissant.

Mais nous estimons aussi que le navire qui relâcherait pour plusieurs raisons et dans l'intérêt même du demandeur, pourrait continuer son voyage quitte à donner caution égale aux dommages évalués et jusqu'à concurrence de la valeur estimée par la police d'assurance du défendeur ; qu'il pourrait donner comme caution le nantissement de cette même police d'assurance, en tout ou en partie, et empêcherait la saisie, ou enfin une hypothèque soit du chiffre des dommages estimés, soit de tout le navire, espèce d'hypothèque légale ayant un rang privilégié sur toutes celles existantes, n'ayant avant elle que le privilège de l'équipage et celui des frais qui concouraient depuis le dommage à la conservation de la chose, excepté l'emprunt à la grosse, à moins qu'il fut pour ce dernier emprunt décidé autrement entre les parties.

La transcription de cette hypothèque légale, toute provisoire jusqu'à la fin du litige, serait faite sur l'acte de nationalité par le Consul du défendeur ; s'ils étaient tous les deux demandeurs, ils se garantiraient mutuellement jusqu'à la fin du litige ; de cette façon la cession du navire serait impossible pendant la durée du procès.

Un navire qui serait nanti de l'un des moyens que nous avons décrits, n'aurait aucun intérêt à retenir l'autre dans le port, puisque pour une raison d'intérêt public l'armateur n'est tenu de réparer, civilement, les actes licites ou illicites de son capitaine, que jusqu'à concurrence de la valeur du navire et du fret, sur lequel il faut déduire les privilèges qui l'absorbent presque toujours, Dans l'intérêt général, cette garantie nous paraît suffisante. En Angleterre, elle est fixée suivant le tonnage, et il est prévu une augmentation s'il y a mort d'homme.

Il va sans dire que si le navire ainsi hypothéqué n'était pas assuré, le bénéficiaire de l'hypothèque aurait le droit de le faire assurer à son profit comme s'il en était le propriétaire, et que dans le cas de nantissement par la police et dans celui de perte du navire, dont la police serait donnée en nantissment, la somme due par l'assurance serait déposée avec un privilège spécial, sauf celui de l'équipage et des frais de justice, jusqu'à ce que le litige fut terminé.

En conséquence de tout ce qui précède, la Commission de l'Union Syndicale Mutualiste des Incrits Maritimes du Havre formule les vœux suivants :—

1. Qu'en matière d'abordage, les protestations soient faites conformément et dans les délais prescrits par la loi du pavillon de celui qui proteste, peu importe de quelle juridiction relèvera l'affaire ultérieurement ; nul n'étant censé ignorer la loi de son pays ;

2. Que tous les Tribunaux qui ont dans leurs attributions la connaissance des quasi-délits maritimes, contre navires de même nation ou de nations différentes aient auprès d'eux des interprètes jurés ne pouvant exercer les fonctions de courtiers de navires, ni de mandataires des parties ;

3. Qu'aucune procédure relative à une collision ne puisse venir en délibérée devant le Tribunal compétent, sans être au préalable précédée d'un Rapport fait par une Commission d'Experts, composée de trois capitaines nommés : un par le Tribunal et un par chaque partie ; s'il y avait plus de deux parties, pour que le nombre fut toujours impair. le Tribunal le rendrait impair en nommant deux experts.

Les experts nommés par les deux ou plusieurs parties pourraient être de n'importe quelle nationalité, à la condition toutefois d'être capitaines et de parler la langue du Tribunal. Les ingénieurs, constructeurs, &c., servant à évaluer les dommages, n'auraient pas voix délibérative au Rapport ; ils seraient adjoints aux experts pour fixer les sommes seulement, et sous la responsabilité de ces derniers.

La minorité d'experts opposante aurait toujours la faculté de motiver son opposition dans le Rapport

4. Que l'incompétence du lieu de juridiction en matière d'abordage soit :—(1) le Tribunal attributif du lieu où le quasi-délit a été commis ; (2) le Tribunal attributif du domicile de l'armateur ; (3) le Tribunal attributif de lieu de relâche du navire, au moment des poursuites, peu importe, tout déplacement antérieur ou ultérieur, le choix est au demandeur pour les deux derniers cas ; faculté aux parties pour le premier cas, de désigner, par un acte, le lieu qui doit trancher le litige, s'ils ne doivent pas se faire juger par le Tribunal du lieu où le dommage a été commis ;

5. Que la procédure dans les domiciles sus-indiqués et dans le lieu où les dommages ont été commis, soit suivie sous les réserves des vœux 1, 2 et 3, conformément aux lois, règles, et usages du pays, qui rend la justice jusqu'en dernier ressort ;

6. Que tout navire qui est actionné en réparations de dommages causés par lui, soit dans le lieu ou il est actionné, soit dans la mer libre, puisse continuer son voyage et sa navigation en donnant une caution égale à la valeur entière du navire évaluée par sa police d'assurance, ou par trois experts nommés : un par le Consul du demandeur et les autres par chacune des parties, et que la caution soit agréé du demandeur.

Que, de droit, le défendeur puisse offrir comme caution, sa police d'assurance par un transfert motivé, ou bien en donnant une hypothèque légale, un privilège sur le navire n'étant primé que par les frais conservatoires, faits depuis le dommage au jour du réglement définitif.

Cette hypothèque comme le transfert de la police se ferait devant le Consul du défendeur, qui délivrerait au demandeur un duplicata du certificat d'inscription sur l'acte de nationalité indiquant le jour et l'heure, et enverrait ce certificat au port d'attache, afin qu'aucune cession ne puisse être faite légalement ;

7. Qu'un Tribunal Supérieur International jugeant souverainement en fait et droit soit établi en pays neutre, siégeant toujours au nombre de sept membres, Magistrats Internationaux, et composée d'une section d'experts et d'une section de secrétaires (interprètes formant ainsi le Tribunal Supérieur International) ;

8. Que le Tribunal Suprême juge sur requête, sans ingérence d'avocats ni d'avoués, sur la présentation des documents, Jugements, Arrêts, &c. ; toute demande incidente pourrait être jointe au fond. Un nouveau Rapport serait fait sur l'affaire par les experts du Tribunal Supérieur sur le vu des Rapports des capitaines et de l'interrogatoire de l'équipage nouvellement traduits par les secrétaires du Tribunal. Le dit Rapport serait signifié aux parties qui auraient un mois pour le contredire et, après ce délai, le Tribunal prononcerait souverainement sur le tout.

9. Que dans toute appréciation de dommages en matière d'abordage, il y ait un boni de 10 pour cent au profit des hommes d'équipage du navire qui auraient soufferts les dommages par pertes d'effets, chômage, rupture de contrat, excès de travaux, &c., et que dans le cas de blessures graves ou mort d'hommes, un tarif établisse la pénalité et la réparation civile pour chacun de ces accidents ; les blessés et les ayants droit des décédés, auraient un privilège sur l'indemnité accordée au demandeur. Les amateurs auraient à faire couvrir ces nouveaux risques s'il n'aimaient mieux en supporter eux-mêmes la responsabilité.

10. Que si contrairement à notre manière de voir, par suite de Traités Internationaux ou pour d'autres considérations de haute politique, qu'il ne nous appartient pas d'apprécier, les navires postaux étaient assimilés, pour la saisie et autres faits de juridiction, aux navires de guerre et relevaient par suite du Tribunal Supérieur International dans l'intérêt de l'indemnisé, après la sentence prononcée, la subvention postale serait saisissable et par privilège jusqu'à concurrence de l'indemnité, intérêts et dépens accordés au demandeur.

Tels sont les vœux que formule la Commission de l'Union Syndicale Mutualiste des Inscrits Maritimes du Havre.

(Signé) AUGÉ.

Vu et approuvé les quatorze Rapports ci-dessus.

Par la Commission d'Études de l'Union Syndicale du Havre :
(Signé) AUGÉ, *Capitaine au Long Cours, Membre de plusieurs Sociétés Savantes Françaises et Étrangères, Président et Rapporteur.*
E. VOIZARD, *Chevalier de la Légion d'Honneur, Vice-Président.*
V. DUREL, *Capitaine au Long Cours.*
G. LEBOURHIS, *Capitaine au Long Cours.*
CORBIÈRE, *Capitaine au Long Cours.*

Pour le Syndicat des Capitaines au Long Cours de Marseille :
Le Président,
(Signé) BÉNIGNI, *Capitaine au Long Cours, Chevalier de la Légion d'Honneur.*

Pour le Syndicat des Capitaines Marins de la Méditerranée :
Le Président,
(Signé) J. BOUSQUET, *Capitaine Maritime.*

Pour l'Union des Corporations Maritimes du Midi :
Le Président,
(Signé) J. PÉTRIER, *Capitaine au Long Cours, Officier d'Académie.*

Havre, le 1er *Juillet*, 1889.

Appendix (E).

Report of Committee upon Division XIII.

Collisions en Mer.

[Première Partie.—*Législation Maritime Internationale.*

Note sur les Tribunaux Maritimes Internationaux, Étude de M. Favier, Avocat. Opinion du Gouvernement des États-Unis; Congrès de Milan et de Hambourg; Responsabilité des Compagnies. Commandant Albert Riondel, Officier de la Légion d'Honneur.

À M. Favier, Avocat du Barreau de Cherbourg:

JE vous dédie cet opuscule en témoignage de mon amitié. Vous avez bien voulu mettre votre expérience et votre science du droit au service de la question internationale des Tribunaux Maritimes. Je vous en remercie très affectueusement.

Sentiments les plus dévoués,
(Signé) ALBERT RIONDEL.

Préface.

Au mois d'Août 1883, nous avons étudié la collision du paquebot Français "Saint-Germain" avec le bâtiment Anglais "Woodburn" remorqué par le "Recovery." Nous avons fait de cette étude une brochure. Nous l'avons adressée a divers Gouvernements et aux grandes Chambres de Commerce Françaises de Paris, Bordeaux, Marseille, Le Havre, et Nantes. Nous faisions ressortir dans notre travail le vice de la législation actuelle. Nous demandions la création de Tribunaux Maritimes Internationaux pour juger les litiges résultant des collisions en mer entre bâtiments de nationalités différentes.

Le Gouvernement des États-Unis et le Gouvernement de Grèce approuvèrent le principe et l'utilité de cette création. Les cinq Chambres de Commerce citées plus haut exprimèrent la même opinion. Plus tard, à la suite de dix-sept Conférences faites dans les ports, en 1886, 1887, et 1888, depuis Bayonne jusqu'à Dunkerque, les autres Chambres de Commerce, les Sociétés de Géographie Commerciale et les Conseils Municipaux émirent des vœux identiques.

Ces Corporations dressèrent des Résolutions écrites. Elles les transmirent directement au Gouvernement Français. Le Conseil de l'Amirauté fut saisi de la question par l'Amiral Aube, Ministre de la Marine. Ce Conseil émit à l'unanimité un avis conforme à celui des Chambres de Commerce au sujet de ces Tribunaux. L'Académie des Sciences, la Commission des Pétitions de la Chambre des Députés, les Congrès de Nantes, de Hambourg, et de Milan, plusieurs Chambres de Commerce étrangères se montrèrent également favorables. Tous ces documents sont publiés dans deux brochures: la première a été imprimée à Cherbourg en 1886, sous le titre "Réforme Internationale et Tribunaux Maritimes Internationaux." La seconde s'imprime actuellement à Cherbourg chez Biard, 14, Rue du Château; elle a pour titre, "Les Routes Internationales de Navigation," et elle formera la seconde partie de cet ouvrage.

Un avocat de Cherbourg, jurisconsulte réputé dans la Manche et le Calvados, très expert dans les questions maritimes, M. Favier, s'est intéressé à la question qui nous préoccupe. Il avait assisté à la Conférence que nous fîmes à Cherbourg au mois de Juin 1886. Le travail de M. Favier constitue la partie principale de cette brochure. Nous le faisons précéder d'une note sur les Tribunaux Maritimes Internationaux, que nous avons lue au huitième Congrès des quarante-deux Sociétés de Géographie réunies à Nantes, au mois d'Août 1886. Le Congrès émit à l'unanimité un vœu favorable à l'institution de ces Tribunaux.

A la suite du travail de M. Favier, nous insérons le document du Gouvernement des États-Unis, qui a été la base et le point de départ de l'agitation Française dont nous venons de parler. Nous publions après ce document une note relative aux deux Congrès de Hambourg et de Milan qui ont examiné et approuvé les propositions qui leur étaient soumises.

La création des Tribunaux Maritimes Internationaux a été attaqué dans un livre récemment paru sur les collisions en mer. Cet ouvrage est de M. le Commandant Banaré, Chef du Service des Instructions Nautiques. Nous lui répondons dans une note spéciale.

Nous insérons aussi une étude sur la responsabilité des Compagnies de Navigation et la nécessité d'établir un Tarif International protecteur de la vie humaine sur mer.

Nos conclusions sont faites avec beaucoup de réserve. Nous nous bornons simplement à quelques considérations. Notre but est avant tout d'appeler l'attention sur la nécessité de créer, en matière de collisions, des Tribunaux Internationaux à la place des Tribunaux des nationalités, pour régler plus équitablement les litiges entre navires de nationalités différentes.

Le besoin d'une législation nouvelle résulte de l'unanimité des vœux nettement formulés par les intéressés. Le Rapport du Commissaire de la Navigation des États-Unis rend la pensée commune en ces termes: "L'établissement d'un pareil Tribunal épargnerait les dépenses, préviendrait beaucoup d'ennuis et apporterait plus d'harmonie dans l'interprétation donnée par les différentes nations aux lois sur les collisions. Il est probable que toutes les nations favoriseraient l'insertion (au moins en substance) de la deuxième clause proposée par M. Riondel et j'incline à recommander son adoption."

La solution pratique des Tribunaux Internationaux présentera certainement des difficultés, mais elles ne paraissent pas insurmontables à un homme de la valeur et de l'expérience de M. Favier.

D'autres juriconsultes suivront probablement son exemple et essaieront de résoudre la question.

Création des Tribunaux Maritimes Internationaux.

Cette note a été lue, en séance publique, au Congrès de Nantes, le 8 Août, 1886, par M. le Commandant Riondel.

Le Congrès, à l'unanimité, a émis un vœu favorable au projet.

Le principe et l'utilité des Tribunaux Maritimes Internationaux pour juger les litiges entre navires de nationalités différentes ont été reconnus :—

1. Par les États-Unis, le 4 Février, 1885 ;
2. Par la Grèce ;
3. Par la Chambre de Commerce du Havre ;
4. Par la Chambre de Commerce de Paris ;
5. Par la Chambre de Commerce de Bordeaux ;
6. Par la Chambre de Commerce de Marseille ;
7. Par les Congrès d'Anvers et de Milan ;
8. Par le Conseil de l'Amirauté Française, le 25 Avril, 1886.*

Nous avons fait deux Conférences dans les grands ports de commerce de Nantes et du Havre, le 18 Mai et le 3 Juillet, 1886.

Ces deux assemblées ont approuvé l'idée.

M. le Commissaire-Général de la Marine qui présidait la Conférence que nous avons faite au Havre, nous écrivait, le 9 Juillet : "J'estime que, grâce à vos efforts, la question est assez mûre pour passer de la période des idées et des projets, à l'état définitif, c'est-à-dire à un projet de Convention Internationale à discuter par des Délégués de Puissances."

Le Chef du Service de la Marine qui assistait à la Conférence du Sport Nautique de Nantes, le 18 Mai dernier, nous écrivait, le 29 Juin : "Je relis l'organisation que vous proposez pour vos Tribunaux Internationaux d'États ; je la considère comme bonne et pratique. Cela me paraît excellent et je crois que mon avis sera partagé par tous ceux qui examineront sérieusement la question."

Le 16 Juillet, la Chambre de Commerce de Saint-Nazaire nous disait : "L'exécution de votre très intéressant projet est appelée, croyons-nous, à rendre les plus utiles services."

La Chambre de Commerce du Havre ajoutait, le 24 Juillet, dans son dernier paragraphe : "Le Congrès d'Anvers, qui a examiné toutes ces questions, a émis le vœu que les Gouvernements se réunissent et s'entendent pour en faire l'étude."

Un mois auparavant, le Congrès de Hambourg avait examiné nos propositions avec intérêt et pris des Résolutions sur deux points. Le Congrès de Milan de 1883 avait approuvé le principe d'une Cour d'Appel Internationale révisant les Jugements des Tribunaux.

L'Académie des Sciences a été saisie ; elle a nommé une Commission pour étudier l'affaire.

De nombreuses Pétitions signées au Havre, à Cherbourg, Nantes, Paris, Saint-Nazaire, Marseille ont été adressées à la Chambre des Députés. Le dépôt a été fait à la Tribune par un Député de la Loire-Inférieure, M. le Marquis de la Ferronnays.

Cette revue rétrospective indique surabondamment l'intérêt qui s'attache à la question que nous allons présenter brièvement à la haute attention du Congrès.

Le projet n'a rien de définitif. C'est une simple esquisse.

On trouvera une sanction pratique, après examen préliminaire fait par des jurisconsultes, armateurs et membres de Compagnies d'Assurances. Les discussions de la presse éclaireront encore le sujet. Les Délégués des Puissances viendroit ensuite ; ils donneront en dernier ressort la forme internationale voulue, pratique et définitive, utile aux intérêts généraux de toutes les nations.

I.

En droit, nul ne peut être juge dans sa propre cause.

Dans un différend maritime international Anglo-Français par exemple, résultant d'une collision en mer, tous les juges seront Anglais, si le navire incriminé relâche en Angleterre.

Au contraire, si le navire aborde en France, tous les juges seront Français.

En un mot, la composition du Tribunal dépend uniquement du "hasard." Elle influe nécessairement sur la sentence.

La collision du "Saint-Germain" et du "Woodburn," dans la Manche, en 1883, a démontré la nécessité d'un Tribunal International Mixte. Nous en avons fait l'objet d'une brochure qui a été approuvée par le Gouvernement des États-Unis et les autorités citées plus haut.

Nous empruntons ici les expressions du Commissaire de la Navigation, M. Jarvis Patten, dans son remarquable Rapport du 31 Janvier, 1885 : "L'établissement de semblables Tribunaux épargnerait des frais, préviendrait beaucoup de soucis et apporterait plus d'harmonie dans l'interprétation donnée par les différentes nations aux lois sur les collisions."

L'honorable Commissaire de la Navigation dit encore : "Ce serait certainement, de la part des différentes nations adhérentes, un moyen rapide de donner toutes les garanties désirables à la législation."

* Un très grand nombre d'autres Chambres de Commerce, Françaises et étrangères, se sont associées à ce mouvement depuis cette époque.

D'un autre côté, la collision du navire Anglais "City of Mecca" avec le bâtiment Portugais "Insulano" a été l'objet, pendant huit ans, de plaintes et de réclamations diplomatiques de l'Angleterre.

Cette nation trouvait alors que le Tribunal Portugais, dans le Jugement de cette affaire, avait fait un "déni de justice."

Le Ministre Anglais à Lisbonne proposa alors la création d'une Cour d'Appel Internationale devant réviser les Jugements des nationalités.

Le Congrès de Milan de 1883 approuva l'idée et prit une Résolution dans ce sens.

Rien ne serait plus désirable que la création de ces deux degrés de juridiction :—

1. Des Tribunaux Internationaux siégeant sur un certain nombre de points déterminés et limités;

2. Une Cour d'Appel Internationale siégeant en pays neutre, révisant les Jugements des Tribunaux Internationaux de Première Instance.

Cette création nouvelle présentera certainement des difficultés de plus d'un genre.

Sont-elles insurmontables? Nous ne le croyons pas. Dans tous les cas, l'importance du résultat, unanimement reconnue en principe, comme nous l'avons vu, n'impose-t-elle pas le devoir de tenter l'entreprise et de ne reculer qu'après avoir fait les plus grands efforts pour réussir? Il s'agit, d'une œuvre de justice à la fois humanitaire et civilisatrice au premier chef.

Pourquoi n'obtiendrait-on pas une entente sur ce point capital, qui doit tenter et attirer toutes les bonnes volontés, quand on est arrivé à la faire aboutir des Conventions Internationales aussi ardues et minutieuses que des Conventions de Pêche, Postales, Télégraphiques, et autres?

Les difficultés s'aplaniraient avec du temps, de la persévérance, du travail, et la volonté de réussir.

Pourquoi, en un mot, une barrière infranchissable s'élèverait-elle de ce côté seulement, quand nous ne la voyons nulle part ailleurs?

II.

En Angleterre, les litiges contentieux des collisions sont jugés dans la capitale, à Londres, par "l'Admiralty Court." Il y a un juge et deux assesseurs, capitaines choisis dans la Corporation du "Trinity House."

En France, au contraire, ces affaires appartiennent aux Tribunaux de Commerce.

Si la marine Anglaise, qui dépasse comme nombre, la moitié des autres marines du globe, se contente d'une seule Cour établie dans sa capitale, on peut l'imiter sans crainte; cela simplifie la difficulté et permet de fixer le nombre et le siège des Tribunaux Internationaux.

Ils seraient établis dans chacune des capitales des pays ayant adhéré à la Convention Internationale.

Dans le cas d'un litige Anglo-Français, à juger en Angleterre par exemple, le Tribunal serait international au lieu d'être national. Le Jugement serait rendu par trois juges, au lieu d'un juge unique; un juge de chacune des parties intéressées et un juge étranger, pris sur un tableau des nations ayant adhéré à la Convention.

Le nombre des juges augmenterait avec celui des parties intéressées. Chacune doit être représentée. Dans tous les cas, le nombre des juges devra rester impair.

Dans le cas que nous venons d'examiner, un litige se jugeant en Angleterre, le Jugement serait rendu naturellement dans la langue Anglaise. Tout le personnel nécessaire à la justice resterait le même. Il n'y aurait de changé qu'un seul élément: la composition des juges. Mais c'est là le point capital qui donnerait aux parties les garanties d'impartialité qui leur font défaut aujourd'hui.

Les difficultés nous paraissent donc plus apparentes que réelles. Les Plénipotentiaires délégué sauront bien les surmonter et cimenter les bases de l'organisation nouvelle. Il faut éviter à l'avenir, comme le dit avec tant d'àpropos M. Jarvis Patten: "que des Jugements, même quand ils sont justes, soient suivis de soupçons et de récriminations. On permettra alors à un commandant, en pareil cas, de relâcher dans le port le plus voisin (manœuvre dictée par l'humanité quand la vie humaine est en danger), sans craindre de nuire à ses intérêts."

L'honorable Commissaire de la Navigation des États-Unis s'exprimait ainsi dans la dernière phrase de son Rapport: "Il est probable que toutes les nations favoriseraient l'insertion (au moins en substance) de la deuxième clause proposée par M. Riondel, et j'incline à recommander son adoption."

On ne peut pas approuver la création des Tribunaux Maritimes Internationaux d'une manière plus catégorique. Le Chef du Département de la Trésorerie et le Secrétaire d'État des États-Unis approuvaient le Rapport de leur Commissaire de la Navigation (le 4 Février, 1885), dans une phrase laconique, bien expressive, écrite à M. Riondel: "J'ai l'honneur de vous transmettre la copie d'un Rapport du Commissaire de la Navigation, qui exprime ses idées sur ce sujet, idées auxquelles le Département donne pleinement son assentiment."

La nation des États-Unis est essentiellement maritime et possède le sens pratique des choses. Elle a démontré, dans le Rapport de son Commissaire de la Navigation, l'urgence de la réforme. Comment ne pas être convaincu, après cette lecture, que la vérité est là, et que le reste n'est plus qu'une question secondaire qui sera résolue quand on le voudra?

III.

Les Ordonnances de 1861 (Livre IV, Titre 9, Article 18) et du 29 Octobre, 1833 (Article 62), imposent aux autorités Maritimes et Consulaires le devoir de rechercher les causes des sinistres maritimes. Une instruction du Ministre de la Marine, en date du 18 Mai, 1860, a précisé leurs devoirs, un questionnaire adopté par une autre décision du 24 Mai, 1879, a donné de l'uniformité à ces investigations; on ne doit pas se borner à lire aux témoins de l'événement le Rapport du capitaine. L'enquête doit être approfondie. Il faut arriver à la découverte de la vérité par tous les moyens

possibles. Les Commissaires de l'Inscription Maritime et les Consuls procèdent à cet effet à l'examen des papiers de bord et du casernet; on interroge et on presse de questions l'équipage et les passagers. On a recours à des experts assermentés. Dans les Consulats, on réclame l'assistance d'un officier de vaisseau, si un navire de guerre est dans le port ou sur rade; ou bien encore, du plus âgé des capitaines au long cours présents dans la localité.

En France, le Commissaire de l'Inscription Maritime appelle à l'enquête le Directeur des Mouvements du Port ou le Capitaine du Port.

Lorsque les naufrages ont lieu à l'étranger, l'instruction est transmise au Ministre de la Marine, par le Consul qui fait connaître les ports sur lesquels les hommes rapatriés ont été dirigés.

A leur arrivée en France, ces personnes sont soumises à un nouvel interrogatoire, sur tous les points où elles abordent dans la mère-patrie.

Ainsi donc, il existe deux catégories d'enquête très différentes; les unes sont faites dans le Consulat le plus rapproché du lieu du sinistre; les autres sont dressées à l'arrivée sur le sol natal.

Il serait rationnel, si la collision est Anglo-Française, par exemple, que le Consul Anglais assistât à l'enquête Française, et réciproquement. Il y aurait ainsi des garanties indéniables de justice. Le Consul assistant aurait droit d'interrogatoire et d'inscription au procès-verbal.

Au point de débarquement, le contrôle de l'enquête serait toujours possible, car il y a dès Consuls dans la localité même du débarquement de l'équipage ou sur un point très rapproché. On avertirait ce Consul du jour et de l'heure de l'interrogatoire.

A l'étranger, sur le lieu de la collision, si un des Consuls faisait défaut, il pourrait être substitué par un Consul d'une autre nationalité, ou par un officier d'un navire de guerre présent sur les lieux, ou par le capitaine au long cours le plus ancien, ou bien encore par un Notable. Ceux-ci remplaceraient le Consul manquant.

Les marins et armateurs trouveraient certainement dans cette double enquête contrôlée par les intéressés, au moment de l'événement et peu de temps après, des garanties précieuses qui n'existent pas aujourd'hui.

Cet important dossier formerait la première assise. Envoyé au Tribunal Maritime International, il lui rendrait d'utiles services.

IV.

Nous n'avons pas voulu entrer dans les détails. Un peu plus tard, quand la question aura été discutée par les intéressés et par la presse, il nous restera à formuler, Article par Article, dans un projet spécial, les diverses idées qui sont exprimées dans ce Mémoire.

Sans chercher à nier les difficultés qu'on rencontrera sur sa route pour résoudre le problème, afin d'arriver à une entente internationale, nous avons eu pour but de montrer au Congrès que ces obstacles ne sont pas insurmontables. Le sentiment du bien public et l'amour de la justice seront le levier puissant qui, un jour donné, nous l'espérons, soulèvera toute la charge et rendra ce grand service à la civilisation.

Dans sa délibération du 13 Juillet, 1885, la Chambre de Commerce de Paris, statuant sur les propositions que nous avions soumises à son examen, émettait un avis "tendant à ce que le Gouvernement s'entendit avec les Gouvernements étrangers pour résoudre ces questions internationales de si haut intérêt."

Nous avons vu plus haut que le Congrès d'Anvers de 1885 avait émis le même vœu

Nous demandons respectueusement au Congrès de Nantes de vouloir bien prendre une résolution semblable.

La Chambre de Paris avait fait précéder son vœu des considérants suivants:—

"La Chambre de Commerce a constaté la difficulté de déterminer le Tribunal compétent pour connaître d'une collision en mer entre navires de nationalités différentes, et les conséquences graves qui en résultent, les Codes Maritimes n'étant pas identiques.

"La Chambre de Commerce estime, en conséquence, que non seulement la création de Tribunaux Internationaux s'impose pour les besoins de la grande famille du monde commercial, mais qu'il conviendrait surtout que toutes les nations eussent un même Code Maritime."

Le Conseil d'Amirauté, dans sa séance du 25 Avril, 1886, avait émis un vœu analogue: "Qu'il serait du plus sérieux intérêt qu'un accord pût être réalisé entre les diverses nations maritimes pour la constitution de Tribunaux Internationaux chargés de connaître les litiges entre navires de nationalités différentes, et de les juger d'après une loi commune."

Le Gouvernement Grec a adopté aussi la même proposition et s'est déclaré "tout disposé à prendre part aux travaux de la Conférence, quand les Puissances Maritimes auront décidé d'en convoquer une."

Dans notre Mémoire "Sur la Réforme de la Loi Internationale du 4 Novembre, 1879, et la Création de Tribunaux Maritimes et Internationaux," nous avons proposé (page 9) la nomination d'une Commission Permanente de personnes techniques.

Elle préparerait la solution de ces questions internationales d'un si haut intérêt; elle étudierait avec soin les collisions nouvelles où elle trouverait un enseignement salutaire pour les prévenir à l'avenir.

Ne serait-ce pas un moyen de faciliter plus tard l'œuvre des Plénipotentiaires délégués de la Conférence Internationale? Ces derniers auront à mission de créer définitivement une entente sur cette question importante. Comme le dit la Chambre de Commerce de Paris; "la création de ces Tribunaux s'impose pour les besoins de la grande famille du monde commercial."

Cherbourg, le 31 *Juillet,* 1886.

M. le Commandant, *Cherbourg, le 7 Janvier*, 1887.

Voici la note que je vous avais promise.

Elle n'a pas la prétension d'être complète, mais c'est un aperçu des moyens qui me semblent le plus pratiques pour mettre vos idées en application, en ce qui touche l'organisation et la juridiction des Tribunaux Internationaux.

Il importe de démontrer que cette institution n'a rien d'irréalisable, même au point de vue du courant ordinaire des affaires.

C'est ce que j'ai essayé de faire.

Veuillez, &c.

(Signé) H. FAVIER.

A. M. le Commandant A. Riondel.

Étude sur l'Organisation et la Juridiction des Tribunaux Maritimes Internationaux; par M. H. Favier Avocat.

La nécessité d'une juridiction internationale pour les abordages n'est plus à discuter; elle s'impose. Mais si elle est admise par tous en principe et en théorie elle n'en soulève pas moins certaines objections au point de vue pratique.

Tous les hommes d'affaires qui se sont occupés spécialement de questions maritimes savent qu'en pareille matière un avantage qu'on ne saurait légèrement sacrifier c'est la célérité. C'est surtout dans le commerce maritime qu'on doit tenir compte de l'adage Américain "Time is money." L'importance des intérêts engagés dans les armements est considérable et un rétard de quelques jours dans l'accomplissement du voyage pour lequel un navire est affrété, peut porter une grave atteinte à des intérêts nombreux. Non seulement le capitaine et l'équipage mais les armateurs, les chargeurs, les assureurs, et souvent d'autres encore peuvent en éprouver de sérieux préjudices.

Aussi il est un écueil qu'il faut éviter en organisant en cette matière une nouvelle juridiction, c'est de la placer trop loin des justiciables.

Un abordage survient, le navire abordé relâche dans le plus voisin. Il faut qu'il y trouve immédiatement une autorité ayant qualité pour constater l'avarie, sa nature, en rechercher les causes, prescrire et surveiller les réparations, et mettre le navire à même de continuer son voyage le plus tôt possible, ou constater son innavigabilité irrémédiable, afin que le chargement puisse être transbordé sur un autre navire. Il peut aussi y avoir des mesures urgentes à prendre pour assurer le sauvetage ou la conservation de la cargaison. S'il fallait, pour toutes ces mesures, recourir à un Tribunal éloigné, les dommages résultant de l'abordage seraient considérablement aggravés par les retards et les frais qui en seraient la conséquence inévitable.

Or, les Tribunaux Internationaux seront nécessairement peu nombreux, et par suite siégeront à des distances très considérables. Il n'est pas possible d'admettre que pour toutes les questions signalées plus haut on doive recourir à leur intervention.

Aussi, le Soussigné estime-t-il qu'il n'y aurait pas lieu de leur attribuer compétence pour toutes les mesures d'instruction, qui, pour être efficaces, doivent s'effectuer sans retard et sur les lieux mêmes de relâche.

Il serait possible de concilier l'intérêt d'une bonne justice, avec l'intérêt d'une prompte justice, en restreignant le rôle des Tribunaux Internationaux au jugement des questions de responsabilité, et en laissant aux Tribunaux Nationaux existant actuellement le soin de présider aux mesures de conservation et d'instruction, sauf à donner aux étrangers, dans cette première phase de la procédure, quelques garanties que les législations actuelles ne leur donnent pas.

En conséquence, le projet de Traité à soumettre aux délibérations des diverses Puissances pourrait être formulé ainsi qu'il suit:—

TITRE Ier.

Article 1er. En cas d'abordage, chacun des capitaines devra, dans le délai de vingt-quatre heures, déposer au greffe du Tribunal du lieu où il se trouvera, ou bien du port où il relâchera, un Rapport détaillé relatant toutes les circonstances de l'abordage.

Dans le cas où il y aurait sur les lieux un Consulat de sa nation, le capitaine pourra, s'il le préfère, déposer son Rapport au dit Consulat.

Art. 2. Le délai de vingt-quatre heures courra du moment de l'abordage, si l'abordage a eu lieu dans une rade ou dans un port; il courra du moment de l'arrivée du navire dans le premier port où il entrera, si l'abordage a eu lieu en mer.

Art. 3. Le Rapport sera vérifié par les déclarations des hommes de l'équipage et des passagers qui seront interrogés et déposeront, sous la foi du serment, devant le Magistrat ou le Consul qui aura reçu le Rapport.

Art. 4. Les Rapports non vérifiés ne sont point admis à la décharge du capitaine, et ne font point foi en justice, excepté dans le cas où le capitaine s'est sauvé seul dans le lieu où il a fait son Rapport. La preuve des faits contraires est réservée aux parties.

Art. 5. Le même Magistrat ou Consul fera en outre, d'office, toutes les constatations qu'il jugera utiles à la manifestation de la vérité.

Art. 6. Il sera surtout dressé procès-verbal, dont une expédition sera remise au capitaine avec une expédition de son Rapport.

Art. 7. Si les deux navires se trouvent dans le même lieu, le capitaine le plus diligent assignera

l'autre devant le Tribunal du lieu, compétent d'après la loi locale, pour les affaires maritimes, aux fins de faire nommer des experts chargés de visiter les deux navires, de constater les avaries, d'en rechercher les causes, et de donner leur avis sur les responsabilités encourues. Les experts auront la faculté de s'entourer de tous renseignements et de demander, s'ils le jugent utile, de nouveaux éclaircissements aux hommes des deux équipages et aux passagers.

Art. 8. Les mêmes experts auront pour mission d'indiquer les mesures à prendre, s'il y a lieu, pour le sauvetage des navires ou des chargements ainsi que pour leur conservation.

Ils indiqueront aussi, s'il y a lieu de déclarer l'innavigabilité des navires, ou, dans le cas contraire, les réparations nécessaires pour les remettre en état.

Art. 9. Les experts seront au nombre de trois ; chacun des capitaines pourra en désigner un ; le troisième sera choisi par le Tribunal, qui désignerait aussi les autres dans le cas où ils n'auraient pas été désignés par les capitaines.

Aucune condition de nationalité n'est exigée des dits experts.

Art. 10. Après le Rapport des experts, le Tribunal statuera sur l'homologation de leur Rapport, mais seulement en ce qui touche les mesures à prendre pour la réparation ou la conservation des navires et de leurs cargaisons.

Il prescrira en outre, d'office ou sur la demande des parties, toutes les mesures d'instruction qui seraient utiles pour éclairer la question des responsabilités, mais en réservant cette question.

Il statuera enfin sur les demandes d'embargo, et fixera, s'il en est requis, les cautions à fournir par celui des capitaines qui voudra continuer son voyage avant la solution du procès.

Art. 11. Si les deux navires ne se trouvent pas dans le même port, chacun des capitaines poursuivra dans le lieu où il se trouvera, par voie de requête, l'accomplissement des formalités nécessaires pour faire procéder à l'expertise ; mais, en ce qui concerne seulement son navire et sa cargaison. Il en poursuivra l'homologation aussi par voie de requête. L'autre capitaine, comme toute partie intéressée, pourra en tout état de cause intervenir dans la procédure qui deviendrait alors contradictoire.

Art. 12. Les Jugements de l'homologation et ceux qui pourraient être rendus sur les incidents de la procédure, seront en premier ressort, mais ils seront exécutoires par prévision, sans caution.

L'appel pourra en être porté devant les Tribunaux Internationaux dont il va être parlé.

Titre II.

Art. 13. Il est institué dans les pays adhérents au Traité, des Tribunaux Internationaux composés d'un Délégué de chacun des États Contractants. La présidence appartiendra au Délégué de l'État dans lequel siégera le Tribunal. Chaque Tribunal élira parmi ses membres un Vice-Président ; il choisira, hors de son sein, un greffier. Il désignera aussi un certain nombre d'avoués, chargés de représenter ou d'assister les parties. Le ministère des avocats sera facultatif.

Art. 14. La présence de cinq membres au moins sera nécessaire pour la validité de leurs Jugements. En cas de partage, la voix du Président sera prépondérante.

Art. 15. Les Tribunaux Internationaux sont compétents pour statuer : (1) sur les appels des Jugements rendus en conformité des dispositions du Titre Ier du présent Traité ; (2) sur les questions de responsabilité en matière d'abordage.

Art. 16. Les appels seront portés devant le Tribunal International dans la circonscription duquel se trouvera le Tribunal dont la décision sera attaquée.

Art 17. Le Tribunal International pourra statuer séparément sur les dits appels ou joindre les incidents au fond.

Art. 18. La question de responsabilité en matière d'abordage sera portée devant le Tribunal International dans la circonscription duquel le demandeur aura suivi la procédure préliminaire mentionnée au Titre Ier.

Dans le cas où les deux capitaines se porteraient respectivement demandeurs devant les deux Tribunaux Internationaux différents, le Tribunal saisi le dernier renverrait l'affaire devant le Tribunal le premier saisi.

Art. 19. L'instance sera introduite et suivie dans les formes usitées dans le pays, pour les procédures commerciales devant les Cours d'Appel.

Art. 20. Lorsque les deux navires appartiendront à des nationalités différentes, si le Délégué de la nation de l'un d'eux se trouve empêché de siéger, le Délégué de la nation de l'autre ne pourra prendre part au Jugement à peine de nullité.

Art. 21. Les Jugements seront rendus sur le vu des rapports de mer, des expertises et autres documents, sans préjudice des vérifications nouvelles et de toutes mesures d'instruction que le Tribunal jugerait utile d'ordonner.

Art. 22. Les décisions des Tribunaux Internationaux seront en dernier ressort et ne pourront être attaqués que pour vices de forme, incompétences, ou excès de pouvoir.

Art. 23. Il est établi une Cour Internationale de Cassation devant laquelle seront portés les pourvois, et qui, le cas échéant, devra procéder aux Règlements de Juges.

Art. 24. Cette Cour sera composée de deux Délégués de chacun des États Contractants. Elle élira parmi ses membres un Président et un Vice-Président. Elle choisira, hors de son sein, un greffier. La présence de neuf membres au moins sera nécessaire pour la validité de ses Arrêts.

Art. 25. Elle statuera sans débat oral, sur le vu des Mémoires, des parties et des pièces de la procédure.

Art. 26. Elle sera saisie par voie d'assignation, et les Arrêts seront rendus sur le rapport d'un Conseiller qui ne pourra appartenir à la nationalité de l'une des parties en cause.

Art. 27. En cas de cassation, la cause sera renvoyée devant un autre Tribunal International.

TITRE III.

Art. 28. Tous les exploits seront signifiés dans la forme usitée dans le pays où la procédure se poursuivra. Ils devront, si la partie interpellée est étrangère à ce pays et n'y a ni domicile réel, ni domicile élu, lui être notifiée soit en parlant à sa personne, soit à son domicile réel à l'étranger, soit à bord du navire où elle est embarquée, soit enfin au Consulat de sa nation.

Art. 29. La procédure préliminaire et la procédure devant les Tribunaux Internationaux, ainsi que tous actes ou procès-verbaux sont également soumis quant à la forme aux Règlements établis dans les pays où ils sont passés.

Art. 30. La procédure devant la Cour Internationale de Cassation fera seule exception à la règle qui précède et fera l'objet d'un Règlement que cette Cour elle-même arrêtera.

Art. 31. Les Jugements et Arrêts rendus en conformité du présent Traité, seront exécutoires dans tous les territoires soumis à l'autorité des États Contractants, sans qu'il soit besoin d'exequatur.

Art. 32. Néanmoins les Arrêts de la Cour Internationale de Cassation ne pourront être mis à exécution dans chaque État qu'après qu'une expédition en due forme, accompagnée, s'il y a lieu, d'une traduction, aura été soumise, dans le pays où devra se faire l'exécution, au visa de l'autorité qui sera désignée à cet effet par chacun des États Contractants.

Il en sera de même des Jugements rendus par les Tribunaux ordinaires ou par les Tribunaux Internationaux, mais seulement dans le cas où ils devront être exécutoires dans le territoire d'un État autre que celui dans lequel ils auront été rendus.

Art. 33. Le présent Traité ne sera pas applicable en matière d'abordage entre deux navires de la même nation, si ce n'est que lorsque les deux navires se trouveront ou relâcheront l'un et l'autre dans un port étranger.

Dans le cas où un seul des navires relâcherait à l'étranger, la procédure préliminaire seule se fera, conformément aux dispositions ci-dessus, dans le lieu de relâche et la question du fond sera portée devant la juridiction nationale des dits navires.

Opinion du Gouvernement des États-Unis.

Le document Américain a été publié dans notre seconde brochure. Nous le reproduisons, à cause de son importance, dans ce volume, où sa présence est nécessaire. Ce rapport a été la cause et le point de départ de l'agitation Française dans la question des abordages :—

"*Légation des États-Unis, Paris, le* 13 *Avril,* 1885.

"Par une lettre en date du 15 Décembre, 1884, vous avez bien voulu m'adresser un travail sur les collisions en mer, dont l'objet était de suggérer diverses modifications à la Loi du 4 Novembre, 1879.

"Vous me demandiez de soumettre ce travail à l'appréciation de mon Gouvernement ; je l'ai fait et M. le Secrétaire d'État m'adresse aujourd'hui une copie de la correspondance échangée à ce sujet avec le Secrétaire du Trésor et le Commissaire de la Navigation.

"Vous verrez par cette correspondance, que je m'empresse de vous adresser, que votre proposition a été étudiée sérieusement et dans un esprit tout à fait sympathique.

"Le Ministre des États-Unis,
(Signé) "MORTON.

"A M. Riondel,
"Capitaine de Frégate en Retraite."

(1 Lettre.)

"Monsieur, "*Département de la Trésorerie, le* 4 *Février,* 1885.

"Répondant de nouveau à votre lettre du 19 Janvier dernier qui soumettait une communication de M. Riondel, de la Marine Française, dans laquelle il proposait une réforme des Règlements Internationaux pour prévenir les collisions en mer, j'ai l'honneur maintenant de vous transmettre la copie d'un Rapport du Commissaire de la Navigation qui exprime ses idées sur ce sujet, idées auxquelles le Département donne pleinement son assentiment.

(Signé) "MACCOLLOUGH.

"A l'Honorable Secrétaire d'État."

Rapport du Commissaire de la Navigation.

(2e Lettre.)

"Monsieur, "*Washington, le* 31 *Janvier,* 1885.

"J'ai l'honneur de vous accuser réception de la lettre du Sous-Secrétaire Coon, qui me transmettait, à la date du 24 Janvier, 1885, une communication du Secrétaire d'Etat, accompagnée d'une lettre de la Légation des État-Unis à Paris, et une brochure de M. Riondel, Officier en Retraite de la Marine Française. Dans cette brochure, cet officier décrit les circonstances qui ont accompagnées la collision entre le paquebot Français 'Saint-Germain' et le vapeur Anglais désemparé 'Woodburn' pendant que celui-ci était à la remorque du 'Recovery ;' il donne aussi le Jugement rendu par les Tribunaux.

"Pour répondre à la demande que vous me faites d'un Rapport et de mes vues particulières sur la

matière, j'expose : qu'après avoir examiné les documents qui m'ont été soumis, et lu avec beaucoup d'intérêt le Rapport de M. Riondel, j'estime que la conclusion de ses recherches est de proposer l'addition de deux clauses distinctes à la Loi sur les collisions : la première, relative à la sécurité ultérieure des navires remorqués ; la seconde proposant la création de Tribunaux Internationaux appelés à connaître des cas de collision en pleine mer entre bâtiments de différentes nations.

" La première clause, demandée comme une garantie nouvelle, pour les navires remorqués, pour éviter les chances de collisions, est la suivante :—

" Tout navire, à voiles ou à vapeur, qui rencontre un groupe composé d'un navire remorqueur ayant quelque chose à la remorque, doit changer sa route toutes les fois que les directions du bâtiment isolé et du groupe se croisant de manière à entraîner des risques d'abordage.

" Les règles établies ci-dessus pour des bâtiments à vapeur isolés, sont applicables à des groupes qui se trouveraient dans la position des premiers par rapport aux seconds.

" Le Jugement du ' Saint-Germain ' et du ' Woodburn ' semble prouver que l'application des mêmes règles, d'une part, à des bâtiments entièrement libres de faire la meilleure route pour éviter un abordage et, d'autre part, à des bâtiments en ayant d'autres à la remorque et n'étant pas complètement maîtres de leurs mouvements, est arbitraire et pourrait être modifiée.

" Il est raisonnable de stipuler que le navire isolé, parfaitement libre de ses mouvements, doit s'éloigner du groupe qui, forcément, n'est maître qu'en partie de ses mouvements.

" Je pense donc que la proposition de M. Riondel d'ajouter cette clause au Code International est digne d'être prise en considération.

" Quant à la proposition de M. Riondel d'établir des Tribunaux Internationaux qui connaîtraient des collisions en pleine mer entre des bâtiments de nationalités différentes, on peut dire que la question de juridiction est encore incertaine, pour beaucoup de cas, chez les nations maritimes. Elle engendre parfois beaucoup de mécontentment chez les deux parties en cause ; elle occasionne du désordre et des frais.

" En Angleterre, la Cour de l'Amirauté possède la juridiction des procès entre bâtiments étrangers qui s'abordent dans les eaux territoriales.

" Mais quand le fait se produit à plus de 3 milles des côtes du royaume, il n'existe pas d'autre procédé que d'arrêter, partout où on peut le trouver, le navire qui a causé le plus grand dommage, et de lui intenter une action.

" Cette manière de faire donne naissance à des discussions pour savoir quel est le Tribunal convenable, ce qui soulève un grand nombre de plaintes, de dénis de justice dans la procédure.

" Il y a peu de temps, un navire American fut arrêté dans un port Français pour une collision avec un navire Autrichien, collision qui s'était produite quelques mois auparavant dans l'Océan Pacifique. Le navire Américain se rendait au Havre ; l'Autrichien à Lisbonne, où son chargement était assuré.

" Les assureurs de la cargaison, qui firent le plus de bruit, voulaient que le cas fût jugé à Lisbonne, tandis que les propriétaires du navire maltraité préféraient les Tribunaux Autrichiens.

" Il y avait par suite, engagés dans cette affaire, les sujets des quatre nations : les États-Unis, le Portugal, l'Autriche, et la France (pays où le bâtiment American fut saisi).

" Après des négociations considérables et de grandes dépenses, il fut agréé que le cas serait soumis à un Tribunal Français qui devait être, sans aucun doute, moins influencé par des préférences nationales ; aucun citoyen Français n'ayant d'intérêts pécuniaires dans cette affaire.

" Mais si le bâtiment American avait relâche à Lisbonne et qu'il eût été chargé pour un port d'Autriche, il aurait été arrêté et jugé avec un Code différent, comme cela pouvait être, par l'un ou l'autre Tribunal.

" Les propriétaires, placés dans un port d'Amérique, auraient pu craindre que justice ne fût pas faite.

" Le cas du ' Saint-Germain ' et ' Woodburn ' est cité par M. Riondel comme étant un de ceux où le Jugement a causé un préjudice, par un verdict favorable à une des parties dont la nationalité était celle du pays qui jugeait le litige. Sa proposition d'un Tribunal Mixte est faite en vue d'éviter à l'avenir, que des Jugements, même quand ils sont justes, soient suivis de soupçons et de récriminations.

" La proposition de M. Riondel d'avoir un Tribunal Maritime International pour exercer son autorité sur les collisions qui se produisent entre navires de différentes nations, éviterait, je le pense, ce malheur et permettrait à un commandant, en pareil cas, de relâcher dans le port le plus voisin (manœuvre dictée par l'humanité quand la vie humaine est en danger) sans craindre de nuire à ses intérêts.

" On peut cependant faire l'objection qu'un Règlement ou une Loi pour l'institution d'un Tribunal devant juger les cas des collisions, ne doit pas être inséré dans le Code International, qui a seulement pour but de les prévenir.

" Ce serait certainement, de la part des différentes nations adhérentes, un moyen rapide de donner toutes les garanties désirables à la Législation.

" L'établissement d'un pareil Tribunal épargnerait les dépenses, préviendrait beaucoup de soucis et apporterait plus d'harmonie dans l'interprétation donné par les différentes nations aux Lois sur les collisions.

" Il est probable que toutes les nations favoriseraient l'insertion (au moins en substance) de la deuxième clause proposée par M. Riondel dans les Règlements Internationaux et j'incline à recommander son adoption.

(Signé) " JARVIS PATTEN.

" A l'Honorable Secrétaire de la Trésorerie."

Congrès de Hambourg, de Milan, et de Londres.

Les deux Congrès de Hambourg et d'Anvers ont eu lieu en Août et Septembre 1885.

Le Président du premier Congrès, M. le Dr. Sieveking, Président du Tribunal Supérieur des Villes Hanséatiques, dans la première séance, s'exprimait ainsi (compte-rendu officiel, p. 170): "Les propositions faites au Congrès de Milan, en 1883, sont en très grande harmonie avec le projet de M. Riondel, qui mérite la chaleureuse sympathie de tous les membres présents."

Le discours du Président fut suivi de la lecture d'une lettre du Consul-Général de France et d'une note présentée au Congrès par M. Riondel. Nous les reproduisons :—

"M. le Président, "*Hambourg, le* 19 *Août,* 1885.

"M. Albert Riondel, Captaine de frégate en retraite de la Marine Française, a désiré soumettre au Congrès que vous présidez, divers projets de réforme dont il est l'auteur et qui ont pour but de prévenir les abordages en mer et d'assurer le jugement équitable des litiges qui peuvent résulter des collisions entre navires de nationalités différentes. Cet honorable officier ne pouvant, à son grand regret, prendre part, en personne, aux travaux du Congrès, j'ai l'honneur de vous adresser, ci-joint et d'ailleurs à titre purement officieux, le dossier contenant ses propositions, et je ne puis que vous prier de vouloir bien le communiquer à la Commission compétente.

"Ces propositions sont les suivantes :—

"1. Utilité de créer un Tribunal International appelé à connaître des cas de collision, en pleine mer, entre bâtiments de différentes nations. Ce Tribunal serait composé d'un juge appartenant à chacune des nations en cause, et de deux ou trois juges, désignés par le sort, parmi les autres nations ayant adhéré à la Loi Internationale ;

"2. Obligation imposée à tout navire isolé qui recontre, à la mer, un groupe composé d'un remorqueur et d'un ou plusieurs remorqués de s'écarter de la route suivie par ce groupe ;

"3. Obligation d'éclairer la queue des groupes de navires remorqués ;

"4. Responsabilité partielle, en cas de collision, du remorquer qui remorque un ou plusieurs navires sans feu ;

"5. Responsabilité entière et *ipso facto,* en cas de collision, du navire qui n'ayant pas allumé ses feux a ainsi privé l'autre bâtiment du feu légal que le Règlement International lui accorde pour diriger ses mouvements ;

"6. Responsabilité correctionnelle des hommes chargés de l'allumage et du bon état des feux ;

"7. Obligation pour les bâtiments de guerre d'arrêter les navires sans feux et d'en dresser procès-verbal.

"Enfin, 8. Attribution par le Tribunal juge de la responsabilité de l'abordage, de dommages et intérêts à accorder non seulement aux propriétaires des bâtiments et de la marchandise, mais encore aux victimes de la collision ou à leurs ayants-droit.

"Veuillez, &c.

(Signé) "Comte BALUS D'AVRICOURT,

"*Le Consul-Général de France.*"

"*Note présentée au Congrès International de Hambourg en* 1885.

"Dans une brochure publiée en 1884 (sous le pseudonyme de 'Albert du Hailly'), chez Léon Vannier, Éditeur, à Paris, 19, Quai Saint-Michel, et intitulée : 'Collision du "Saint-Germain" et du 'Woodburn,"' j'ai fait les deux propositions suivantes :—

"1. Utilité de créer un Tribunal International pour juger les litiges maritimes.

"2. Obligation imposée à tout navire isolé qui rencontre à la mer un groupe (composé d'un remorqueur et d'un ou plusieurs remorqués) de se déranger de sa route afin d'éviter une collision.

"Premier Point. La juridiction dépend aujourd'hui uniquement du hasard. Dans le cas d'une collision entre Français et Anglais la juridiction sera Anglaise ou Française, selon que le bâtiment auteur de la collision aura relâché en pays Anglais ou sur le sol Français.

"La sentence est toujours attaquée par la partie condamnée avec une certaine apparence de raison.

"Il est de principe en droit qu'on ne peut pas être à la fois juge et partie ; un Tribunal International ne serait-il pas une chose désirable et un progrès réel ?

"Deuxième Point. Un groupe est dans l'impossibilité de manœuvrer et d'éviter un danger ; chaque navire qui en fait partie est tenu par l'avant et l'arrière, et n'a pas (sauf le remorqueur) la possibilité :

"1. De stopper.

"2. D'augmenter ou de réduire la vitesse.

"3. De marcher en arrière.

"4. De faire une abattée pratique, prompte et accentuée, pour éviter un danger.

"En dehors de ces deux propositions nettement formulées, j'avais également émis (dans plusieurs passages de la brochure) les idées suivantes :—

"1. Nécessité d'éclairer la queue d'un groupe. La raison est simple. Les trains de chemins de fer sont éclairés en tête et en queue ; cependant ils ne sont jamais, comme sur mer, susceptibles d'être abordés à droite ou à gauche. Cela s'impose bien plus fortement aux groupes qui sont de vrais trains maritimes.

"2. Si les feux ne sont pas allumés la responsabilité entière, en cas de collision, devrait incomber *ipso facto* à ce navire. Quelle que soit le manœuvre de l'autre bâtiment, celui-ci ne peut pas

en être déclaré responsable, puisqu'il a été privé du feu légal que le législateur lui accorde pour diriger ses mouvements.

" 3. Le législateur international devrait imposer aux bâtiments de guerre le devoir d'arrêter les navires sans feux et d'en dresser procès-verbal.

" 4. Le remorqueur (qui remorque un navire ou des navires sans feux) commet une négligence qui doit le rendre en partie responsable de la collision.

" 5. Les hommes chargés de l'allumage et du bon état des feux, et qui manquent à ce devoir sacré, doivent être punis, le cas échéant, de la même manière que le garde-barrière, l'aiguilleur, le Chef de Gare, ou un employé quelconque, quand il arrive une rencontre sur les voies ferrées.

" Si la responsabilité du capitaine est engagée, il doit être puni aussi. Ces trois dernières clauses s'imposent au nom de la sécurité générale.

" La Loi Internationale du 4 Novembre, 1879, a été faite pour prévenir les abordages à la mer. Elle doit toujours rester ouverte au progrès. Chaque événement malheureux devrait être étudié avec soin, et servir d'enseignement pour l'avenir. Il est nécessaire que l'expérience si chèrement acquise ne soit pas perdue.

(Signe) " A. RIONDEL."

Le Congrès de Milan mit en relief un point intéressant. Une collision eut lieu en 1885 entre le navire Anglais " City of Mecca " et le bâtiment Portugais " Insulano." Le Jugement rendu à Lisbonne par le Tribunal Portugais n'eut pas l'approbation de l'Angleterre. Pendant huit ans (de 1875 à 1883) une correspondance diplomatique fut échangée à propos de cette affaire entre les deux Gouvernements. Les relations se tendirent au point que Lord Granville prononça les mots de " déni de justice." Sir Robert Morier, Ministre Plénipotentiaire Anglais à Lisbonne, fit à ce moment la proposition d'une Cour d'Appel chargée de réviser les Jugements des Tribunaux des Nationalités.

Le Congrès de Milan, saisi, en 1883, de cette demande, votée à l'unanimité la Résolution suivante :—

" A toutes les Puissances Maritimes incombe le devoir d'adopter un Code unique de lois en matières de collisions sur mer, spécialement en ce qui concerne la juridiction."

Le Congrès de Londres s'est assemblé au Palais de Guildhall du 25 au 29 Juillet, 1887. Le Secrétaire-Général lut dans une des séances une lettre de M. le Commandant Riondel, en disant que son programme avait déjà été approuvé par le Congrès de Hambourg.

Le procès-verbal (p. 190) contient ces deux communications que nous reproduisons :—

" M. le Vice-Amiral Jurien de la Gravière a résumé (dans le compte-rendu de l'Académie des Sciences du 20 Juin, 1887) de la manière suivante, les diverses propositions que je lui avais soumises :

" 1. Imposer aux paquebots à vapeur une route d'aller et une route de retour, afin de diviser le courant unique en deux courants parallèles.

" 2. Déterminer une vitesse maximum dans les canaux étroits en temps de brume.

" 3. Augmenter la portée de l'éclairage et le mettre en harmonie avec les vitesses d'aujourd'hui.

" 4. Établir des Tribunaux Maritimes Internationaux pour juger les litiges entre navires de nationalités différentes.

" Je soumets respectueusement la question à la Conférence de Londres dans les termes adoptées par l'illustre et savant Amiral Jurien de la Gravière.

" Je ne puis pas me placer sur un meilleur terrain et sous un patronage plus recommandable et plus compétent.

" Je crois même inutile de faire une autre note, plus spéciale et plus développée pour la Conférence de Londres. Je me borne à présenter mes nouveaux travaux.

" Qu'il me soit permis, en outre, de recommander particulièrement à la haute assemblée :

" Ma note sur les Tribunaux Maritimes Internationaux, et celle de la modification des couleurs de l'éclairage.

" Une troisième note sur les signaux de brume et l'utilité d'indiquer la route suivie par un avertissement supplémentaire (le clairon).

* * * * * * * *

" Le moyen pratique qui me paraît le plus sûr pour résoudre ces questions est le suivant :—

" Nomination immédiate d'une Commission Technique Internationale (un membre par nation adhérente) ; cette Commission préparerait le travail des diplomates chargés un jour de rédiger le Projet de Loi. On arrêtera ainsi le cours de ces terribles calamités, les collisions en mer, qui croissent et croîtront sans cesse en intensité et en victimes. Il est nécessaire, par un remède énergique et salutaire, d'établir une barrière et de mettre un frein à tant de misères et de douleurs ; elles durent depuis trop longtemps.

" La Conférence de Londres accomplira son œuvre en y mettant un terme.

(Signé) " ALBERT RIONDEL."

L'Assemblée vote à l'unanimité la Résolution suivante :—

" L'attention des autorités compétentes des Puissances Maritimes doit être appelée sur l'importance de punir toutes les infractions au Règlement qui exige un éclairage convenable sur mer."

C'est exactement la sixième proposition que nous avions faite, en 1885, au Congrès de Hambourg.

Les Tribunaux Maritimes Internationaux jugés par le Chef du Service des Instructions Nautiques.

Les Tribunaux Maritimes Internationaux comptent comme adversaire : M. le Chef du Service des Instructions Natiques de la Marine.

Dans son ouvrage sur les collisions en mer récemment publié, il a attaqué cette institution en disant qu'elle était irréalisable.

Nous lui avons répondu en ces termes dans le "Cosmos."

M. le Chef du Service des Instructions Nautiques, au Service Hydrographique de la Marine, a fait paraître récemment le second tome de son ouvrage sur les collisions en mer. Comme le précédent, ce volume sort de l'Imprimerie Nationale. Les fonctions de l'auteur et le nom de l'imprimerie donnent à cet ouvrage l'apparence d'une attache officielle. Cependant, cette attache n'existe pas. Le volume qui vient de paraître le déclare en ces termes (p. 169):—

"Il ne nous paraît pas inutile de dire en terminant que l'initiative des deux parties de ce travail nous est propre et que personne ne nous en a imposé, et ne pouvait d'ailleurs songer à nous en inspirer la rédaction, non plus que les idées ou arguments qui y sont développés."

C'est heureux assurément; cependant il sera difficile au public et surtout aux étrangers de ne pas faire quelques réserves attendu que le Ministère a favorisé des expériences, fait construire des instruments spéciaux et mis ses archives et ses renseignements officiels sur la matière à l'entière disposition de l'auteur, chef d'un de ses services.

Ce n'est pas tout. Dans la première partie de l'ouvrage, le Chef du Service des Instructions Nautiques déclare: "Qu'il a collationné par la nature de son service tous les documents Français et étrangers."

Il est fâcheux, dans ces conditions, de faire non seulement des oublis, mais des erreurs de faits pouvant tromper et égarer le lecteur. Nous croyons de notre devoir de les mettre en évidence pour tous ceux qui s'occupent de cette cause, et de les signaler en même temps à M. le Ministre de la Marine. Nous ne parlerons, aujourd'hui, que de ce qui concerne les Tribunaux Maritimes Internationaux; nous nous occuperons une autre fois des routes de navigation, pour montrer qu'elles ont été l'objet des mêmes oublis, d'autant plus fâcheux qu'ils ont été peut-être volontaires.

A la page 106 de son second volume, l'auteur dit que les deux Chambres de Commerce de Bordeaux et de Dunkerque sont opposées à la création de Tribunaux Maritimes Internationaux. Nous allons édifier le lecteur à ce sujet. Voici la délibération de la Chambre de Bordeaux (22 Juillet, 1885):—

"La Chambre, partageant l'opinion de son Rapporteur, décide que la lettre suivante sera écrite à M. Riondel:—

"'Monsieur,

"'La Chambre de Commerce de Bordeaux a examiné votre communication avec intérêt; elle en apprécie le mérite et joint son approbation à celle que le Gouvernement des Etats-Unis a donnée aux deux propositions que vous formulez relativement aux mesures à prendre pour éviter les collisions, et à la formation de Tribunaux Maritimes Internationaux.

"'Le Président de la Chambre,
(Signé) "'HUBERT PROM.'"

La Chambre de Commerce de la Rochelle (dans sa délibération du 12 Mai, 1887), à la suite de considérants, émet le vœu:

. . . . Que le Ministère du Commerce et de l'Industrie, après entente avec les autres Ministères compétents, prenne l'initiative de Conférences Internationales avec les Représentants des seize Puissances Maritimes qui ont adhéré au Règlement sur les moyens de prévenir les abordages. Ces Conférences devront avoir pour objet:—

1. * * * * * * *
2. * * * * * * *
3. L'établissement de Tribunaux Maritimes Internationaux chargés de juger les contestations ayant pour cause les collisions en mer entre navires de nationalités différentes; Tribunaux qui seraient composés à la fois de Juges de la nationalité de chaque partie et de Juges étrangers à l'une et à l'autre, pour départager au besoin les premiers.

Le Président de la Chambre,
(Signé) MOREL.

A la page 105 du même volume, le Chef du Bureau des Instructions Nautiques dit également que la Chambre de Commerce de Dunkerque ne veut pas non plus de ces Tribunaux Maritimes Internationaux. C'est une nouvelle erreur. Le 17 Juin, 1887, la Chambre de Commerce, par l'organe de son Président, M. Petit, s'exprime ainsi:—

"Quant aux Tribunaux Maritimes Internationaux, leur création serait appelée à rendre les plus grands services, et mettrait fin aux difficultés résultant du régime adopté jusqu'ici. C'est ainsi qu'en matière d'abordage, les Juges appelés à se prononcer sont ceux du pays où relâche le native abordeur. Or, les Codes Maritimes des diverses nations n'étant pas identiques, des Jugements différents peuvent être rendus des faits analogues, suivant la nationalité des Juges qui en connaissent. Il y a là évidemment une situation anormale qu'il importe de modifier. La creation de Tribunaux Internationaux, devant lesquels seraient portés les litiges maritimes, en tranchant tout d'abord la question de compétence, donnerait sur ce point aux intéressés toutes les garanties que la justice doit leur fournir; elle aurait ensuite pour conséquence d'amener tôt ou tard la réforme des Codes Maritimes dans le sens de l'uniformité, et c'est là un but auquel on doit tendre dans l'intérêt de la marine.

"Dans ces conditions, M. le Président propose à la Chambre d'appuyer auprès du Gouvernement les vœux formulés par M. le Commandant Riondel.

"La Chambre consultée adopte cette proposition.

"Le Président,
(Signé) "A. PETIT."

Voilà qui est catégorique, mais continuons :—

A la page 107, l'auteur ajoute que plusieurs autres Chambres de Commerce sont du même avis que celles de Bordeaux, de La Rochelle, et de Dunkerque ; c'est vrai, mais leur opinion est diamétralement opposée à celle que leur prête le Chef de Bureau des Instructions Nautiques ; elles réclament la création de ces Tribunaux Internationaux.

Chambre de Marseille, délibération du	...	30 Juin,	1885
„ Paris „	...	9 Novembre,	1885.
„ Nantes „	...	16 Octobre,	1886.
„ Granville „	...	27 Novembre,	1886.
„ Caen „	...	25 Janvier,	1887.
„ Cherbourg „	...	29 Janvier,	1887.
„ Bayonne „	...	12 Juin,	1887.
„ Rochefort „	...		
„ Calais „	...	3 Juin,	1887.
„ Abbeville „	...	27 Juin.	1887.
„ Dieppe „	...	8 Juin,	1887.
„ Rouen „	...	9 Juin,	1887.
„ Cette „	...	25 Novembre,	1887.
„ Lorient „	...	17 Janvier,	1888.
„ Saint-Malo „	...	5 Mars,	1888.
„ Havre. Lettres du Président	...	18 Juin,	1885.
„ „ „	...	11 Novembre,	1885.
„ „ „	...	14 Avril,	1888.
„ Lisbonne „	...	24 Novembre,	1886.
„ „ „	...	4 Décembre,	1886.
„ Glasgow „	...	10 Mai,	1886.

Dans cette longue liste, nous citerons seulement la délibération de la Chambre de Commerce de Nantes ; elle a une importance particulière. Le 16 Octobre, 1886, le Président du cette Chambre M. Rivron, écrivait :—

"J'ai l'honneur de vous faire connaître, Monsieur, que la Chambre de Commerce de Nantes n'hésite pas à donner son approbation à l'idée, par vous émise, en faveur de la création de Tribunaux Maritimes Internationaux chargés de prononcer sur les conflits qui se produisent entre navires de nationalités différentes. Nous croyons, comme vous, que l'institution de ces Tribunaux rendrait de grands services au commerce ; elle offrirait, en un mot, si elle était composée d'après les vues dont vous vous êtes inspiré, toutes garanties d'impartialité et de prompte justice. Elle mettrait fin aux difficultés qui naissent aujourd'hui des questions de compétence dont la solution entraîne souvent des délais excessifs, et elle aurait aussi pour résultat d'assurer l'exécution des Jugements.

"La réunion d'une Commission Internationale proposée par vous, dans le but d'élaborer une révision de la loi, serait d'une utilité évidente ; elle serait la préface obligée des Tribunaux Internationaux."

Faisons remarquer que plusieurs Sociétés de Géographie Commerciale et que plusieurs assemblées municipales ont pris des délibérations identiques. Le Congrès de Nantes (Août 1886) où quarante-deux Sociétés Géographiques se trouvaient représentées, a approuvé à l'unanimité la création de Tribunaux Maritimes Internationaux.

Le Conseil de l'Amirauté (séance du 24 Avril, 1886) a émis à l'unanimité le vœu suivant :—

"Qu'il serait du plus sérieux intérêt qu'un accord pût être réalisé entre les diverses nations maritimes pour la constitution des Tribunaux Internationaux chargés de connaître des litiges entre navires de nationalités différentes, et de les juger d'après une loi commune."

Le Gouvernement de Grèce, les Congrès de Hambourg et d'Anvers ont exprimé des avis pareils.

Le Gouvernement des États-Unis disait, le 4 Février, 1885, en parlant du Rapport sur cette question de M. Jarvis Patten, Commissaire de la Navigation : "Le Département de la Trésorerie donne pleinement son assentiment à ces idées." Or, le dit Rapport contient ces lignes dans son dernier paragraphe : "Il est probable que toutes les nations favoriseraient l'insertion de la deuxième clause proposée par M. Riondel dans les Règlements Internationaux, et j'incline à recommander son adoption."

En terminant cet exposé nous poserons devant le monde maritime, à M. le Chef du Bureau des Instructions Nautiques, les questions suivantes :—

1. Pourquoi n'a-t-il pas fait connaître tous les documents publiés de cette grande enquête Française ?

2. Pourquoi dit-il, en présence de ce dossier, qu'il connaissait parfaitement : "C'est compliquer le problème déjà si délicat de la sécurité sur mer, que de vouloir y joindre ces irréalisables propositions de Tribunaux Internationaux," (p. 108) ?

3. Que croit-il que pensera la Marine du passage final (p. 169) : "Nous avons cru rendre service aux navigateurs en mettant sous leurs yeux tous les éléments de discussion jusqu'ici épars dans les diverses publications Françaises et étrangères."

L'auteur des collisions en mer doit à l'opinion publique il se doit à lui-même de répondre à ces questions comment fera-t-il ?

L'Imprimerie Nationale, qui a prêté ses presses aux deux premières parties de son travail, pourra aisément publier la troisième.

Tarif Protecteur des Existences et Responsibilité des Compagnies.

La "Revue de la Marine Marchande," qui partage les idées de M. le Chef du Service des Instructions Nautiques au sujet des routes de navigation, émet une nouvelle objection contre ces routes :—

"Tout en admirant sincèrement les sentiments généreux qui inspirent les partisans des routes de navigation, dit-elle, nous ne pourrons partager leurs convictions que lorsqu'ils nous auront démontré que les capitaines des paquebots transatlantiques Français, Anglais et autres sont de leur opinion."

Ces partisans des routes, on le sait, ce sont: Les Chambres de Commerce, les Sociétés de Géographie Commerciale, les Municipalités des ports et environ 7,000 marins, parmi lesquels les plus éminents. Le dossier qui le constate embarrasse les ennemis des routes, aussi n'en parlent-ils jamais; mais ils ne se bornent pas à cette démonstration passive.

Au mois de Juin 1885, la Commission des Pétitions de la Chambre des Députés, sur la proposition de son Rapporteur, M. le Marquis de la Ferronnays, votait et signait un Rapport très favorable aux vœux des nombreux marins de tous rangs, armateurs, commerçants, Chambres de Commerce, Sociétés de Géographie et Municipalités des Ports; on y demandait en premier lieu la double route d'aller et de retour pour les paquebots. Le Rapport en démontrait éloquemment la nécessité.

Immédiatement informées, les grandes Compagnies de Navigation se mirent en campagne; quelques officiers de marine s'associèrent à ce mouvement.*

On entreprit de faire revenir sur leur vote les membres de la Commission; ce but ne fut pas atteint; le Rapport, fort heureusement, avait été remis à la questure, et il était trop tard pour revenir sur ce qui était fait.

Les Compagnies de Navigation sont dans leur rôle, quand elles s'opposent de toutes leurs forces à ce qu'on leur impose les nouvelles responsabilités qu'elles encourraient avec des itinéraires obligatoires; elles préfèrent garder leur liberté. Des routes internationales garantiraient sans doute la vie de leurs victimes, mais elles gêneraient leurs mouvements.

N'est-il pas évident d'autre part que l'opinion des Compagnies commande celles de leurs capitaines? Ceux-ci ont d'ailleurs cent raisons pour préférer une situation qui leur permet de suivre l'itinéraire qui leur convient davantage.

Cependant si, depuis deux ans, le passage du banc de Terre-Neuve avait été interdit aux paquebots, Granville compterait cinq navires de plus dans sa flotte; ses familles de marins ne seraient pas en deuil, on n'aurait pas les veuves et les orphelins des équipages du "Georges-et-Jeanne," du "Saint-Père," du "Medellin," &c., coulés par les paquebots sur les lieux de pêche.

Toute réglementation civile ou maritime entrave le libre arbitre; elle crée des responsabilités et une gêne; on ne saurait s'étonner qu'elles ne soient pas goûtées par certains capitaines; mais les doubles voies ne sont pas proposées pour l'agrément des Compagnies et de leurs officiers, mais bien pour la protection des personnes et des biens.

Si les Compagnies réclament leurs aises et s'élèvent contre toute atteinte à ce libre arbitre, c'est qu'elles veulent décliner toute responsabilité et que ce qui les touche avant tout, c'est de ne pas perdre une heure. de ne pas brûler une tonne de charbon en trop, et que, par suite, le parcours le plus court leur paraît le plus favorable; quant aux victimes, elles passent après ces considérations; d'ailleurs, on compte sur la Providence et sur sa bonne étoile.

Les Compagnies sont puissantes, leur influence est considérable; leur opposition constitue donc une barrière difficile à renverser. Mais l'accumulation incessante des sinistres maritimes aura raison de leur résistance et conduira fatalement à l'établissement de routes internationales.

L'auteur de l'article de la "Revue de la Marine Marchande" parle de "Pilot Charts" (Cartes dressées chaque mois par les États-Unis pour les navigateurs de l'Atlantique), et apporte ainsi un argument à notre cause. "Jadis on se contenait d'y indiquer la meilleure route pour éviter les glaces flottantes. Depuis plusieurs mois, ces mêmes Cartes indiquent une route d'aller et une route de retour pour les navires; de là, à réglementer ces tracés et à les rendre obligatoires, il n'y a qu'un pas; il suffit de vouloir le faire."

L'auteur ajoute:—

"La publication de ces Cartes est appelée à rendre de grands services aux navigateurs de l'Atlantique du Nord. Nous savons que ceux-ci tiennent toujours compte de leurs indications, mais elles empêcheront jamais les capitaines, soucieux d'arriver vite, de chercher à raccourcir leur route chaque fois que le temps clair leur permettra de ne pas craindre de passer dans des parages où des 'icebergs' ont été signalés par les 'Pilot Charts.'"

Cette appréciation n'est pas exacte, nous en sommes convaincus. Les capitaines suivront l'itinéraire devenu obligatoire si on met un prix assez élevé à chaque vie humaine anéantie dans un abordage causé par leur désobéissance à la loi, si on tarife, non seulement la mort, mais les blessures graves et les blessures légères aussi. Une pareille classification, facile à établir, est juste; on doit la faire, fixer un tarif élevé et faire accepter ces mesures dans un accord international. La responsabilité des capitaines n'existe pas aujourd'hui, elle fait défaut à la sécurité des mers; on doit l'établir. Elle sera certainement créée un jour, parce qu'il est équitable, quand on fait des veuves et des orphelins par sa faute en violant les lois, de prendre la charge de ces infortunés et de payer au poids de l'or ceux qu'on leur a enlevés.

Les Pétitions. qui ont marqué le premier mouvement de l'opinion publique sur cette question sont couvertes de signatures de capitaines au long cours, de capitaines au cabotage, de pilotes, de marins; des capitaines étrangers ont tenu à apporter aussi leur adhésion. Tous, comme les hautes Corporations citées ci-dessus, ont demandé le tracé de routes obligatoires, et c'est ce que constate le Rapport de M. de la Ferronnays. En outre, nos illustrations maritimes se sont aussi déclarées en faveur des routes maritimes.

C'est contre cette majorité que luttent les grandes Compagnies de Navigation, et, jusqu'à présent, elles ont été assez puissantes pour la tenir en échec. Leur influence, leur action sur les sphères officielles, leur ont donné cet avantage; mais il ne sera que passager: elles seront vaincues par la force prépondérante de l'opinion publique, de mieux en mieux éclairée.

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* Lettre de M. de la Ferronnays au Président de la Société de Géographie de Rochefort.

Conclusions.

Le Rapport du Commissaire de la Navigation aux États-Unis.

M. Jarvis Patten démontre, dans son Rapport du 31 Janvier, 1885, la nécessité de recourir à des Tribunaux Internationaux :—

"L'établissement de ces Tribunaux," dit-il, "épargnerait des frais, préviendrait beaucoup d'ennuis, et conduirait à une plus grande harmonie dans l'interprétation donnée aux Lois sur les collisions par les différentes nations.

"Il est probable," ajoute-t-il, "que toutes les nations favoriseraient l'incorporation dans le nouveau Règlement International d'une clause semblable à celle que propose le Capitaine Riondel pour les Tribunaux Mixtes."

Dans le cours de ce Rapport le Commissaire de la Navigation condamne en ces termes les Tribunaux des Nationalités :—

"On peut dire que la question de juridiction, dans les cas dont il s'agit, est complètement incertaine chez les nations maritimes. Il en est résulté quelquefois beaucoup de désagréments, de part et d'autre, avec des frais et des ennuis considérables."

Presque toutes les Chambres de Commerce Maritimes de France ont fait entendre le même langage, leurs Résolutions offrent également ce double caractère: elles condamnent ce qui existe. Toutes réclament des Tribunaux Internationaux. La lecture attentive de ces Résolutions est donc très instructive.

En nous appuyant sur les autorités que nous venons de nommer, nous demandons l'établissement de Tribunaux Maritimes Internationaux, qui remplaceraient les Tribunaux des Nationalités.

Nous avons exprimé nos préférences dans la note lue au Congrès de Nantes. Ces vues ont obtenu l'approbation du Gouvernement des États-Unis et des Chambres de Commerce Françaises.

La Chambre de Nantes se prononçait ainsi dans son passage principal :—

"Si ces Tribunaux étaient composés d'après les vues dont vous vous êtes inspiré, ils offriraient toutes garanties d'impartialité et de prompte justice ; ils mettraient fin aux difficultés qui naissent aujourd'hui des questions de compétence dont la solution entraîne souvent des délais excessifs ; l'institution de ces Tribunaux aurait aussi pour résultat d'assurer l'exécution des Jugements."

Malgré cela, nous formulons simplement, d'une manière générale, dans notre conclusion, la nécessité d'une législation internationale. Nous resterons ainsi dans notre rôle d'officier de marine. Nos travaux peuvent servir, mais les jurisconsultes de droit maritime ont seuls la compétence et les connaissances requises pour résoudre les difficultés pratiques de cette organisation judiciaire. Nous considérons notre tâche comme remplie, après avoir saisi l'opinion publique et réussi à faire partager notre conviction par les plus hautes autorités. Nous avons eu la bonne fortune de voir un homme éminent prendre pied dans la question.

D'autres jurisconsultes marcheront sur ces traces et résoudront un problème dont tout le monde aujourd'hui reconnaît la grande importance. Comment serait-il irréalisable, quand les États-Unis, d'une part, et les Comités Commerciales et Maritimes de notre pays, d'autre part, pensent précisément, le contraire ?

L'organisation nouvelle rendra surtout des services si ses rouages sont simples et la justice expéditive. C'est à notre avis un point essentiel ; gagner du temps en marine est une qualité à laquelle il faut sacrifier beaucoup. C'est le vrai moyen de garantir les intérêts du commerce. Cette idée a inspiré la note que nous avons présentée au Congrès de Nantes. Elle a certainement entraîné l'adhésion donnée à notre projet par la Chambre de Commerce de Nantes et les autres Corporations Commerciales.

Dans tous les Jugements d'abordage, on ne considère généralement que les pertes matérielles. Le navire déclaré responsable de la collision est condamné à une juste réparation envers l'armateur lésé dans ses intérêts. Mais ce dommage se compose de deux éléments. L'un—le principal—est toujours laissé dans l'oubli. La vie humaine, sacrifiée ou mutilée, a droit cependant à une réparation, au même titre que le propriétaire du navire coulé à fond, ou varié par la faute du capitaine auteur du sinistre. Le Tribunal qui ordonne et fixe le dommage, après avoir pesé et jugé les circonstances de la cause, a le devoir de faire deux parts : celle des intérêts matériels et aussi celle des victimes. Tout être humain, en pareil cas, est égal devant la mort. La vie du simple matelot a droit à une indemnité égale à celle de toute autre personne qui périt dans le désastre. Ne devrait-il pas exister un Tarif International des indemnités accordées aux victimes, pour blessures légères, blessures graves, et perte de la vie ?

Le Tribunal International classerait et appliquerait le dit Tarif. L'état récapitulatif de cette équitable et tardive réparation serait déduit du chiffre accordé aujourd'hui intégralement aux propriétaires de navires. Les intérêts matériels sont très respectables. L'intérêt du matelot tué ou blessé dans un abordage mérite une protection légale qui, de nos jours, lui fait absolument défaut. Sa situation lui interdit absolument le recours à la justice, ce que peut faire l'armateur ou la Compagnie de Navigation. Le législateur a par suite le devoir de rétablir l'équilibre du droit et de la justice.

Un litige d'abordage est d'une nature spéciale. Les deux intérêts—matériel et humanitaire—ne doivent pas être séparés. Ces considérations sont surtout nécessaires à l'époque actuelle. Dans la lutte insensée des vitesses sur mer et des rivalités commerciales ou postales, le respect de la vie humaine est placé à un rang tout à fait inférieur. Les grandes Compagnies n'ont aucune responsabilité. Au point de vue de la stricte justice, et aussi au point de vue humanitaire, nous demandons instamment qu'une responsabilité pécuniaire leur soit imposée pour chaque vie humaine qu'elles anéantissent avec une insouciance et une imprudence que nous qualifions de coupables. On accomplira ainsi un acte de justice. On diminuera notablement le nombre des collisions en mer.

Inclosure 16 in No. 143.

Department of State, International Marine Conference,
Washington, December 31, 1889.

Sir,

I HAVE the honour to inform you that the Conference, at a session held on the 30th December, 1889, upon motion of the First Delegate for France, passed the following Resolution :—

Resolved,—That a Final Act be printed showing for each division of the programme, and in the order of the divisions, the Resolutions adopted by the Conference.

This Act to be signed in the name of the Conference by the President and the Secretary.

In compliance with this Resolution I have the honour to transmit said Final Act.

Final Act.

The President of the United States of America, in pursuance of a special provision of Congress, having extended to the Governments of all maritime nations in diplomatic relations with his own an invitation to send Delegates to a Maritime Conference to meet in the city of Washington on the 16th October, 1889, to discuss, revise, and amend the Rules, Regulations, and practice concerning vessels at sea and navigation generally, this International Marine Conference assembled at the time and place designated, and, after careful and patient discussion and consideration of the entire programme, passes the following Resolutions upon the subjects contained under the various General Divisions :—

General Division I.

Marine Signals or other means of plainly indicating the Direction in which Vessels are moving in Fog, Mist, Falling Snow, and Thick Weather, and at Night.

Rules for the prevention of Collisions, and Rules of the Road.

1. Visibility, number, and position of lights to be carried by vessels.

   (*a.*) Steamers under way.
   (*b.*) Steamers towing.
   (*c.*) Vessels under way, but not under command, including steamers laying cable.
   (*d.*) Sailing-vessels under way.
   (*e.*) Sailing-vessels towing.
   (*f.*) Vessels at anchor.
   (*g.*) Pilot-vessels.
   (*h.*) Fishing-vessels.

2. Sound-signals ; their character, number, range, and position of instruments.

   (*a.*) For use in fog, mist, falling snow, and thick weather, as position signals.
      For steamers under way.
      For steamers towing.
      For sailing-vessels under way.
      For sailing-vessels towing.
         (These signals to show the approximate course steered if possible.)
      For vessels at anchor.
      For vessels under way, but not under command, including steamers laying cable.
   (*b.*) For use in all weathers as helm-signals only.
      For steamers meeting or crossing.
      For steamers overtaking.
      For steamers backing.
   (*c.*) Whether helm-signal shall be made compulsory or remain optional.

3. Steering and sailing rules.

(*a.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by each other.
(*b.*) Steamers meeting, crossing, overtaking, or being overtaken by each other.
(*c.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by steamers.
(*d.*) Steamers meeting, crossing, overtaking, or being overtaken by sailing-vessels.
(*e.*) Special Rules for channels and tide-ways, where no local Rules exist.
(*f.*) Conflict of international and local Rules.
(*g.*) Uniform system of commands to the helm.
(*h.*) Speed of vessels in thick weather.

Resolved,—That in the opinion of the Conference it is inexpedient to adopt course-indicating sound-signals in foggy or thick weather; inasmuch as among the other strong reasons presented by the Sound-Signal Committee, if such signals were used in crowded waters, danger would result from the uncertainty and confusion produced by a multiplicity of signals, and from the false security that would be created in the minds of mariners, and if vessels were navigated in dependence on such signals, when neither could see the other, there would be danger that the officer in charge might read the signal incorrectly, or, if he read it correctly, would interpret it wrongly.

Regulations for preventing Collisions at Sea.

Preliminary.

These Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "steam-vessel" shall include any vessel propelled by machinery.

A vessel is "under way," within the meaning of these Rules, when she is not at anchor, or made fast to the shore, or aground.

Rules concerning Lights, &c.

The word "visible" in these Rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

Article 1. The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry—

(*a.*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(*b.*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c.*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at

least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e.*) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing-vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in Article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Art. 4.—(*a.*) A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (*a*), where they can best be seen, and if a steam-vessel in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes, each 2 feet in diameter.

(*b.*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (*a*), and if a steam-vessel in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(*c.*) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(*d.*) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command, and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art. 5. A sailing-vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned in Article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:—

1. Steam-vessels of less than 40 tons shall carry—

(*a.*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (*a*), and of such a character as to be visible at a distance of at least 2 miles.

(*b.*) Green and red side-lights constructed and fixed as prescribed in Article 2 (*b*) and (*c*), and of such a character as to be visible at a distance of at least 1 mile, or a combined

lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 8. Pilot-vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot-vessels when not engaged on their station on pilotage duty shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing-vessels and fishing-boats when under way, and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a*.) Vessels and boats when fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(*b*.) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (*a*) a tricoloured lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards, shall carry a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea, the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision *b* (1) and (2) shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision *b* (2) of this Article, but if they do not carry such light, they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels, be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision *b* (2), or in lieu thereof a flare-up light.

(*c*.) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(*d.*) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, they shall be exhibited from the bow.

(*e.*) Every fishing-vessel and every boat when at anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(*f.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal prescribed for a vessel at anchor, respectively. (See Article 15 (*d*), (*e*), and last paragraph.)

(*g.*) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute, make a blast; if steam-vessels with the whistle or siren, and if sailing-vessels with the fog-horn, each blast to be followed by ringing the bell.

(*h.*) Sailing-vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (*a*), and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by Article 4 (*a*).

Art. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use any detonating signal that cannot be mistaken for a distress signal.

Art. 13. Nothing in these Rules shall interfere with the operation of any special Rules, made by the Government of any nation, with respect to additional station and signal-lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen, one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Art. 15. All signals prescribed by this Article for vessels under way shall be given—

1. By "steam-vessels" on the whistle or siren.
2. By "sailing-vessels and vessels towed" on the fog-horn.

The words "prolonged blast" used in this Article shall mean a blast of from four to six seconds' duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any

obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing-vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz. :—

(*a.*) A steam-vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

(*b.*) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between them.

(*c.*) A sailing-vesel under way shall sound, at intervals of not more than one minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*d.*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

(*e.*) A vessel, at anchor at sea, when not in ordinary anchorage ground and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than two minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing-vessel, at intervals of not more than one minute, two blasts with her fog-horn, followed by ringing her bell.

(*f.*) A vessel, when towing, shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this Article, at intervals of not more than two minutes, sound three blasts in succession, viz., one prolonged blast followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

(*g.*) A steam-vessel wishing to indicate to another "The way is off my vessel, you may feel your way past me," may sound three blasts in succession, viz., short, long, short, with intervals of about one second between them.

(*h.*) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer three prolonged blasts in succession.

(*i.*) A vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer four short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than one minute.

Speed of Ships to be Moderate in Fog, &c.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing-vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz. :—

(*a.*) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

* *Note.*—In all cases where the Rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

(*b.*) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(*c.*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d.*) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(*e.*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Art. 24. Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than 2 points abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in sight of one another.

Art. 28. The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz. :—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern."

No Vessel, under any circumstances, to neglect proper Precautions.

Art. 29. Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Art. 30. Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Distress Signals.

Art. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz. :—

In the daytime—

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by NC;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything a resembling a ball;
4. Rockets or shells as prescribed below for use at night;
5. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun fired at intervals of about a minute;
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, bursting in the air with a loud report and throwing stars of any colour or description, fired one at a time at short intervals;
4. A continuous sounding with any fog-signal apparatus.

The following Resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat in an Appendix to Rules of the Road :—

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.
2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.
3. The use of incandescent lamps should be permitted; the use of arc lights, at present, should be excluded for all purposes other than signalling and searching.
4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible after the lamp has been fitted with proper screens.
5. The lanterns should be so constructed as to insure the light having, at least, the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.
6. The colour of the glasses by which the colouring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished.
7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.
8. The side-lights should be so screened as to prevent the most convergent rays of the light being seen across the bows more than half a point.

9. The side-lights should be placed, in steam-vessels, not forward of the masthead-light.

10. To meet the number of complaints as to the absence of proper lights on sailing-vessels, the attention of the Powers is called to the better enforcement of the Regulations in that behalf.

11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.

12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam when the engines are stopped, in such a manner as to occasion as little noise as possible.

13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such squadron.

14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel, and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which and to which she is bound.

General Division II.

Regulations to determine the Seaworthiness of Vessels.

(*a.*) Construction of vessels.
(*b.*) Equipment of vessels.
(*c.*) Discipline of crew.
(*d.*) Sufficiency of crew.
(*e.*) Inspection of vessels.
(*f.*) Uniform certificates of inspection.

1. It is the opinion of the Conference that, upon the subjects contained in the sections of this Division no International Rule could be made which would secure beneficial results. It is thought that the Conference would be limited in each case to a recommendation fixing a minimum for the objects which it is desired to secure under each of these sections. If such a minimum were made the legal requirement it would have an injurious effect upon the present standard of efficiency in many countries.

2. In other countries where such efficiency does not exist, it is thought that it will be best secured by the same means which have secured it elsewhere, leaving each nation to modify such means in ways which will best adapt them to the particular methods of the respective Governments.

3. Again, it is found that the present Rules existing in different countries upon several of these questions are different in many respects, though probably equally efficient. It would, therefore, become necessary, in forming an International Rule in such cases, to recommend changes in the existing Rules of several countries, which to some of them might be impracticable. This is thought to be undesirable. However, the Conference earnestly recommend that—

4. All vessels, whether propelled by steam or sail, should possess a margin of strength over and above that which is required to enable them to perform the work for which they were designed and built. A chain, a bridge, or any other structure, the failure of which would entail the loss of human life, invariably has a considerable reserve of strength provided; in other words, the admitted working load is always much less than the computed strength, or the strength ascertained by actual test; certainly, it is no less important that the hull of a vessel should contain a similar reserve.

5. To attempt to formulate Rules for the construction of vessels of all sizes and for all trades would far exceed the province of this Conference; and, besides, any

arbitrary Rules would probably much hamper the advance in design and the method of construction.

6. Therefore, to obtain as much as seems to be practicable in this direction, it is desirable to rely upon efficient and oft-repeated inspection, when, upon the least indication of distress or of rupture showing, very substantial additions should be made before the vessel is allowed to again proceed to sea.

7. Ocean-going steam-vessels which carry passengers should be additionally protected by having efficient bulkheads, so spaced that when any two compartments be filled with water, the vessels will still remain in a seaworthy condition, and two, at least, of the amidships bulkheads should be tested by water-pressure to the height of the deck next above the water-line.

General Division III.

Draft to which Vessels should be restricted when loaded.

"Uniform maximum load-mark."

The Conference are led to believe that notwithstanding the advantages which would be connected with the introduction of a uniform system of load-marks, this matter is not ripe for consideration by this Conference, and that it ought to be left to the negotiations to be carried on between the Governments of the maritime nations.

General Division IV.

Uniform Regulations regarding the Designating and Marking of Vessels.

(*a.*) Position of name on vessels.
(*b.*) Position of name of port of registry on vessels.
(*c.*) Size of lettering.
(*d.*) Uniform system of draught-marks.

1. The name of every registered merchant-vessel shall be marked upon each bow and upon the stern, and the port of registry of every such vessel shall be marked upon the stern.

These names shall be marked in Roman letters in a light colour on a dark ground, or in a dark colour on a light ground, and to be distinctly visible.

The smallest letters used shall not be less than 4 inches high.

2. The draught of every registered vessels hall be marked upon the stem and stern-post in English feet or decimeteres, in either Arabic or Roman numerals. The bottom of each numeral shall indicate the draft to that line.

General Division V.

Saving Life and Property from Shipwreck.

1. Saving of life and property from shipwreck at sea.
(*a.*) Duties of vessels after collision.
(*b.*) Apparatus for life saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)
(*c.*) The use of oil and the necessary apparatus for its use.
(*d.*) Uniform inspections as to (*b*) and (*c*).
2. Saving of life and property from shipwreck by operations from shore.
(*a.*) Organization of, and methods employed by, life-saving institutions.
(*b.*) The employment of drilled and disciplined crews at life-saving stations.
(*c.*) The maintenance of a patrol upon dangerous coasts by night, and during thick

weather by day, for warning off vessels standing into danger, and for the early discovery of wrecks.

(*d.*) Uniform means of transmitting information between stranded vessels and the shore.

(*e.*) Life-boats, life-saving apparatus and appliances.

3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

(1.) *Resolved*,—In every case of collision between two vessels, it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable, and as may be necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and also the names of the ports and places from which and to which she is bound.

(2.) *Resolved*,—That the Conference approve of the principle of the Rules made by the Board of Trade of Great Britain under "The Merchant Shipping (Life-Saving Appliances) Act, 1888," relating to boats and appliances to be carried on board ship for saving life; and recommend that the several Governments adopt measures to secure compliance with this principle in regard to such boats and appliances for vessels of 150 tons and upwards gross tonnage.

It is also recommended that the principle of these Rules be extended to all smaller craft, as far as practicable; and that each vessel of this class should carry at least one life-buoy of approved pattern and material, and for every person on board an efficient life-belt or jacket.

(3.) *Resolved*,—That the Conference recommend that the several Governments require all their sea-going vessels to carry a sufficient quantity of animal or vegetable oil, for the purpose of calming the sea in rough weather, together with suitable means for applying it.

(4.) *Resolved*,—That the Conference recommend that all institutions for saving life from wrecked vessels prepare uniform instructions to mariners with reference to their co-operation with those attempting their rescue from the shore, and that said instructions include the following signals:—

Upon the discovery of a wreck by night the life-saving force will burn a red pyrotechnic light or a red rocket to signify "You are seen; assistance will be given as soon as possible."

A red flag waved on shore by day, or a red light, red rocket, or red Roman candle displayed by night will signify "Haul away."

A white flag waved on shore by day, or a white light slowly swung back and forth, or a white rocket or white Roman candle fired by night, will signify "Slack away."

Two flags, a white and a red, waved at the same time on shore by day, or two lights, a white and a red, slowly swung at the same time, or a blue pyrotechnic light burned by night, will signify "Do not attempt to land in your own boats. It is impossible."

A man on shore beckoning, by day, or two torches burning near together, by night, will signify "This is the best place to land."

Any of these signals may be answered from the vessel as follows: In the daytime by waving a flag, a handkerchief, a hat, or even the hand; at night by firing a rocket, a blue light or a gun, or by showing a light over the ship's gunwale for a short time and then concealing it.

And it is recommended that the several Governments take measures to keep all their sea-going vessels supplied with copies of such instructions.

6. *Resolved*,—That the Conference recommend that the several nations provide by legislative enactments for official inquiry into the causes and circumstances of all shipwrecks and other serious casualties happening to their vessels.

General Division VI.

Necessary Qualifications for Officers and Seamen, including Tests for Sight and Colour Blindness.

(*a.*) A uniform system of examination for the different grades.
(*b.*) Uniform tests for visual power and colour-blindness.
(*c.*) General knowledge of methods employed at life-saving stations.
(*d.*) Uniform certificates of qualification.

1. Every man or boy going to sea as a seaman, or with the intention of becoming a seaman, should be examined for visual power and colour-blindness; and no man or boy should be permitted to serve on board any vessel in the capacity of seaman, or where he will have to stand look-out, whose visual power is below one-half normal, or who is red and green colour-blind.

2. Every man who shall qualify as an officer or as a pilot of a registered vessel after the adoption of these Rules, except engineer officers, shall be required to have a certificate that he has the necessary visual power, and that he is not red and green blind. He shall also have a certificate that he is familiar with the Regulations for preventing collisions at sea, and with the duties required of him in co-operating with a life-saving station in case his vessel is stranded.

3. It is recommended that each country provide means which will enable any boy or man intending to go to sea to have his eyes examined for visual power and colour-blindness, and to obtain a certificate of the result, also to enable the master of any vessel to have the eyes of any of his crew tested for the same purpose.

It is the opinion of the Conference that defective visual power and colour-blindness are sources of danger at sea. The first both by day and night, because of the inability of the short-sighted to see objects at a sufficient distance. Colour-blindness is a source of danger, more especially at night, because of the inability of a colour-blind person to distinguish between the red and green side-lights. The inability on the part of an officer or look-out to distinguish the colour of buoys may be a cause of accident in broad daylight.

It is the opinion of the Conference, however, that tests for these defects need not be enforced in the cases of masters and mates who already occcupy such positions.

The Conference purposely avoid making any recommendation as to the methods to be used in making such tests for visual power and colour-blindness, or in conducting the necessary examinations for officers. It is thought that the desired objects will be best secured by leaving each country to employ the methods which may seem most suitable.

General Division VII.

Lanes for Steamers on frequented Routes.

(*a.*) With regard to the avoidance of steamer collisions.
(*b.*) With regard to the safety of fishermen.

After consideration of various routes the Conference concluded to report only upon the North Atlantic route between ports of North America and ports of Northern Europe as the route upon which there was apparently the greater demand for such lanes, if such could be advantageously laid down on any ocean or sea.

It appears that the adherence of fast steam passenger-vessels to certain southerly routes would tend to the avoidance of fog and ice, and the Conference adopted a Resolution to the effect that it was desirable during the spring and summer months that such vessels should follow a southern route which would clear the Banks of Newfoundland, and be likely to be clear of fog and ice, but when it came to proposing any plan to make such ocean lanes compulsory, the Conference found the subject one of such difficulty that they do not recommend a proposition of that nature.

The difficulty of enforcing the present Rule providing for moderate speed in thick weather suggests what greater difficulties would be met with in enforcing lane routes if made compulsory, and it was not thought desirable to lay down routes by international agreement unless they were to be made compulsory for swift steamers.

Routes that might be proposed would be in danger of invasion by ice during the spring and summer months, and at all times would be crossed by sailing-vessels and

steamers going north and south. If laid down on parallels of latitude which seemed to favour one seaport at the expense of another, or the ports of one country at the expense of the ports of another country, they would arouse opposition that would probably prevent their adoption.

It is possible that even in the near future vessels may be employed of such power and speed that all such considerations may have to give way to the paramount consideration of safety, but, so far as shown to the Conference, present conditions do not seem to justify an international agreement to that effect. It was not shown to the Conference that collisions in mid-ocean between fast ocean steamers had taken place, or that the danger was great enough to justify enforced adherence to certain lanes. Collisions between fast steam-ships, so far, have occurred nearer the coasts where all tracks must converge.

The Conference believe, however, that the voluntary establishment of, and adherence to, particular routes by the different Steam-ship Companies, for different seasons of the year, is very desirable. In fact, the Conference are of the opinion that such action by the Steam-ship Companies, with the experience to be gained thereby, would be quite essential before any concerted action by the Maritime Powers could be profitably taken.

The Conference therefore strongly recommend that the Companies interested should, by mutual agreement, after consultation together, establish routes for the different lines, and make them public, in order that the Hydrographic Offices of the various Governments may publish them for the information of navigators.

The Conference have considered the opinions of several persons in the printed matter that has been laid before them. With the exception of one or two definite propositions, the literature before the Conference does not show how such lane routes could be laid down. Even those containing such propositions arrive at the conclusion that such routes could not be made compulsory.

With regard to the safety of fishermen upon the North Atlantic Ocean, the Conference are of opinion that their safety would be best promoted by unceasing vigilance on the part of the fishermen, and by careful compliance by all with the present Rules for the prevention of collisions, especially as to the efficiency of lights and sound-signals. If lanes were established which carried the fast steamers clear of the Banks frequented by the fishermen it might promote such a sense of security on their part as would tend to carelessness with reference to the Rules as at present laid down, and lead to danger from the slower vessels which would still frequent the Banks.

During the months when the fishing-vessels most frequent the Banks the fear of encountering fog and ice leads many of the steamers to go south of them.

Quick passages are what the steam-vessels aim at in response to the public demand for swift passenger and mail service, and if they were compelled to obey existing Rules regarding moderate speed in fogs at all times and in all places they would avoid the Banks still more in order to go clear of fogs; and thus it seems that the solution of the problem before the Conference, namely, of how to induce steam-ships of great speed to take safer routes to avoid fogs, ice, and danger of collision with fishermen and other vessels, is in compelling obedience to the present Rules regarding moderate speed in thick weather. The enforcement of these Rules would make it for the interest of such vessels to take routes comparatively clear of fogs and ice, and thus attain the end which compulsory legislation might fail to do.

From the correspondence placed before the Conference regarding the dangers of fishermen upon the Banks, it will be observed that vigilance regarding lights and sound-signals have been found efficient safeguards in most instances.

General Division VIII.

Night Signals for communicating Information at Sea.

(*a.*) A Code to be used in connection with the International Code Signal Book.

(*b.*) Or a Supplementary Code of limited scope to convey information of special importance to passing vessels.

(*c.*) Distress signals.

With regard to subsections (*a*) and (*b*) of General Division VIII, the Conference have considered systems of night-signals with ordinary coloured lights, but the objection exists that they cannot be seen so far as a white light. It is the opinion of the Conference

that night-signalling at sea can better be carried on by a system of long and short flashes from a white light than by any system in which coloured lights are used.

The Conference have concluded that the systems of signalling by pyrotechnic lights which have been brought to their notice are too expensive for general use.

The Conference have had before them "a Supplementary Code of limited scope to convey information of special importance to passing vessels," which has been prepared by a Committee of the British Board of Trade, and has been presented by the British Government to the various Powers for their consideration.

The Conference, after careful consideration, recommend the adoption, for optional use, of that Supplementary Code, with the following change: To strike out signal PG, "Beware of derelict dangerous to navigation," and substitute in its place NP, "I want assistance. Remain by me."

The Conference decided upon the following fog-signals, to be allotted to pilots and to vessels seeking pilots:—

For vessels requiring pilots—a prolonged blast followed by a short blast, — —.

For pilots wishing to offer their services—short blast followed by a long blast, — —.

And the Conference recommend that they be inserted in the International Code Book under the Pilot-Signals.

The Conference suggest that the complete alphabet of the Morse Code be inserted in the International Code Book for optional use.

General Division IX.

Warnings of approaching Storms.

(*a.*) The transmission of warnings.
(*b.*) The uniformity of signals employed.

The preparation of weather forecasts and the transmission of warnings regarding expected storms must, by the very nature of the subject, be dealt with locally; and it is in the opinion of the Conference very questionable whether any useful purpose would be gained by the adoption of uniformity of methods, except so far as the general progress of scientific knowledge indicates the direction of possible improvement; and this, it is hardly necessary to say, is more likely to be secured by work carried on independently rather than under any uniform system.

The Conference invite the maritime countries interested to take into consideration the establishment of a uniform system of indicating storm warnings by day and by night, and that such a system should, as far as possible, include signals indicating whether the storm is approaching or has passed the station.

General Division X.

Reporting, marking, and removing Dangerous Wrecks or Obstructions to Navigation.

(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts.

(*b.*) The division of the labour, cost, and responsiblity among the several maritime nations, either by geographical apportionment or otherwise:—

Of the removal of dangerous derelicts;

And of searching for doubtful dangers with a view of removing them from the charts.

Resolutions submitted for the consideration of the Powers.

1. That it is advisable to make it the duty of any of the officers or of the crew of a wreck or derelict to report, as soon as possible after landing, to the nearest harbour authority, if necessary through their Consul, as follows:—

(*a.*) Name of the vessel abandoned.
(*b.*) Her distinguishing number.

(*c.*) Name of her home port, port from which she sailed, and place of destination.

(*d.*) General description of vessel and her rig.

(*e.*) Place where abandoned (latitude and longitude as near as possible).

(*f.*) Weather and current experienced before leaving the vessel, and in case she was a derelict, the direction in which she would most likely drift.

(*g.*) Whether or not it is intended to take any steps toward her recovery.

2. That a similar report should be made to the same authorities by the master of any vessel sighting a wreck or derelict, and a suitable entry made in the ship's log.

3. That such reports should be published in "Notices to Mariners," the daily press, and, if necessary, by giving telegraphic information to the ports which it most concerns.

4. That it is advisable to make it the duty of every commander or master of a vessel o report the fact that an iceberg or dangerous field ice has been sighted, or a shoal, reef, or other obstruction has been discovered, to the harbour authorities or the Hydrographic Office of that country to which the port next reached belongs, giving a full description of the obstruction, and all facts that may lead to the determination of its position; for instance, the time elapsed since the last reliable astronomical observation, and the rate of the chronometer. If the obstruction be a shoal or reef, the depth of water actually obtained by sounding on it should be given. Also, when land is in sight, the position of any off-lying shoal or reef should be determined by compass bearings of fixed objects in view; the error of the compass being stated, with information as to how and when that error was observed. Angles should also be taken between such objects, and a drawing of the coast and the position of the observer be added.

5. That whenever practicable it shall be the duty of the crew before abandoning a vessel (*a*) to hoist some distinctive signal, as: BCF, "Abandoned by the crew," or CRTG, "Derelict," or a ball, shape, or other similar mark, where it can best be seen, and where it should not be mistaken for any other authorized signal; (*b*) to let go the sheets and halliards of such sails as are not furled.

6. That the different Maritime Powers interested in the navigation of that portion of the North Atlantic Ocean bordering the American coast, and situated westward of a line drawn from the Bermuda Islands to Cape Race, Newfoundland, be invited to come to an agreement respecting the removal of derelicts in these waters under due official supervision.

7. That in countries which, by Treaty, have acknowledged the exterritoriality of subjects of other Powers and their property, the Consul or Consuls concerned shall be instructed not to withhold his or their consent to the destruction of a wreck or parts thereof, if it is shown that the wreck constitutes a danger to passing vessels, and if there is no apparent possibility that it will be removed within a reasonable time by the owners or the Insurance Companies interested.

General Division XI

Notice of Dangers to Navigation.

Notice of Changes in Lights, Buoys, and other Day and Night Marks.

(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations, to include the form of "Notices to Mariners."

(*c.*) A uniform method of distributing this information.

The Conference invite the several Maritime Powers to consider the following Resolutions, with a view to establishing uniformity in the subjects treated in "Notices to Mariners" and "Light Lists":—

1. That all bearings should be given from seaward.

2. That the bearings of cuts of different coloured sectors of lights or bearings of lights defining a narrow channel should be expressed in degrees where practicable.

3. That all bearings expressed in degrees should count from north and south, from 0° to 90°, towards east and west.

4. That in designating bearings the letter E shall designate east and the letter W shall designate west.

5. That whenever bearings are given the variation of the compass at the place should be stated.

6. That distances should be expressed in nautical miles and fractions thereof. The word "cable" should mean the tenth part of a nautical mile.

7. That whenever the longitude of a position is given, it should be stated which prime meridian is adopted, and if other than that of Greenwich or Paris, the difference of longitude should also be stated.

8. That in defining the visibility of a light it should be stated whether the distance is for "clear" or "mean" state of the weather.

9. That where the geographical range of a light is given it should be calculated as seen at high water from an observer 15 feet, or 5 metres, above the sea.

10. That a uniform classification of lights, based on luminous intensity and on the character as seen by the mariner, should be adopted.

11. That the Central Offices that issue "Notices to Mariners" or "Light Lists" should be permitted to correspond direct on such subjects.

12. That from countries where "Notices to Mariners" are published only in newspapers, copies of such papers should be sent to the various Hydrographic Offices.

General Division XII.

A uniform System of Buoys and Beacons.

(*a.*) Uniformity in colour of buoys.
(*b.*) Uniformity in numbering of buoys.

On the principle of using four colours to mark the four sides of a shoal, the Conference put forward the following scheme, based on the least change that would be necessary in altering the present systems to a uniform plan, and they bring it to the notice of the countries interested as an example showing that uniformity is attainable if they will agree to consider the subject.

All shoals marked on the compass system to be marked—
On the *North* side by a single Black or White colour.
South side by Red.
East side by half Red and half White combined.
West side by half White and half Black combined.

On Rocks in Fairway, with channels on either hand, to be marked Black or Red, with horizontal bands.

If such colours were adopted, then the following changes of colour would be necessary :—

The marks on the *North* side of a shoal would remain coloured Black or White as they now are in all countries using the compass system.

The marks on the *South* side of a shoal would in—
Norway, have to be changed from White to Red.

The marks on the *East* side of a shoal would in—

Norway,	have to be changed from	Black	to half Red and half White.
Sweden,	do.	Black and White	do.
Denmark,	do.	Red	do.

The marks on the *West* side of a shoal would in—

Norway, Denmark,	have to be changed from	White	to half White and half Black.
Sweden,	do.	Red	do.
Finland,	do.	White and Red	do.

The marks on a rock in Fairway, with channel on either side, if a white horizontal band is generally adopted, would in Russia have to be changed from Black to Black or Red with White horizontal bands, in agreement with the other countries.

The Conference invite the various Powers interested to consider the following general principles, which they put forward as a basis on which to build up a uniform international buoyage system for districts other than those where the compass system is in use.

The term "starboard-hand" shall denote that side of a navigable channel which is on the right hand of the mariner entering from seaward; the term "port-hand" shall denote that side which is on the left hand under the same circumstances.

Colour.—Buoys defining the starboard-hand shall be painted a single red colour.

Buoys defining the port-hand shall be painted a single black colour, or a parti-colour.

Buoys defining middle grounds shall be painted with horizontal bands.

Form.—Wherever form is used as a distinctive character—

Buoys defining the starboard-hand shall be conical, and those defining the port-hand shall be can or spar.

Top Marks.—Countries where form is not used as a distinctive character for buoys may adopt as another distinctive feature for the buoys on either side of a channel, top-marks resembling a cone to be used on the starboard side, or a cylinder on the port side of a channel.

Numbers and Letters.—Numbers, letters, and names may be painted on the buoys, but they must never be so large as to interfere with their distinctive colouring.

Wherever numbers and letters are used they shall be in consecutive order, commencing from seaward.

Buoying and marking of Wrecks.—(*a.*) All buoys and the top-sides of vessels used for the marking of wrecks, shall be painted green with a suitable white inscription.

(*b.*) Where it is practicable, by day one ball shall be exhibited on the side of the vessel nearest the wreck, and two placed vertically on the other side; three fixed white lights similarly arranged, but not the ordinary riding light, shall be shown from sunset to sunrise.

General Division XIII.

The Establishment of a Permanent International Maritime Commission

(*a.*) The composition of the Commission.
(*b.*) Its powers and authority.

Resolved,—That for the present the establishment of a Permanent International Maritime Commission is not considered expedient.

On the 31st December, the programme having been completed, the following Resolutions were adopted:—

On motion of Mr. Hall (Great Britain):

Resolved,—That a cordial vote of thanks be tendered by the Conference to its President, Rear-Admiral Samuel R. Franklin, for his courteous, impartial, and able conduct in the chair.

On motion of Dr. Sieveking (Germany):

Resolved,—That the thanks of the Conference be expressed to the Secretaries of the Conference and to the officers detailed by the United States' Government, for their assiduous services and the valuable assistance given by them to the works of the Conference.

On motion of Captain Richard (France):

That the names of the various Secretaries, given herewith, be added to the Resolution of Dr. Sieveking:—

Lieutenant Vincendon L. Cottman, Mr. Cecil A. Spring Rice, M. Walter Blaess, M. Charles Ribière, Permanent Secretaries;

Lieutenant Frank E. Beatty, Lieutenant Edward D. Bostick, Lieutenant Ridgely Hunt, Lieutenant John F. Newton, Ensign William L. Howard, Secretaries to Committees.

The Conference recommend that a copy of this Final Act be transmitted to the various Powers represented.

In the name of the International Marine Conference,

I am, &c.

(Signed) S. R. FRANKLIN, *Rear-Admiral, United States' Navy, President.*

(Signed) V. L. Cottman,
Lieutenant, United States' Navy, Secretary.

Hon. James G. Blaine, Secretary of State,
Department of State.

No. 140.

The Marquis of Salisbury to Mr. Hall, Q.C., M.P.

Sir, *Foreign Office, March* 25, 1890.

I HAVE to convey to you the approval of Her Majesty's Government of your proceedings at the recent Marine Conference held at Washington, and their appreciation of the important and valuable services rendered by yourself on that occasion.

I am, &c.

(Signed) SALISBURY.

No. 141.

*The Marquis of Salisbury to Admiral Sir R. Molyneux.**

Sir, *Foreign Office, March* 25, 1890.

I HAVE to convey to you the approval of Her Majesty's Government of your proceedings at the recent Marine Conference held at Washington, and their appreciation of the services rendered by yourself on that occasion.

I am, &c.

(Signed) SALISBURY.

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* Also to Admiral Bowden Smith, Admiral Sir G. Nares, Captain H. Wyatt, Captain Kendal, and Mr. Wimshurst

COMMERCIAL. No. 20 (1890)

PROTOCOLS OF PROCEEDINGS

OF THE

INTERNATIONAL MARINE CONFERENCE

HELD IN

WASHINGTON,

OCTOBER 16 TO DECEMBER 31, 1889.

Presented to both Houses of Parliament by Command of Her Majesty.
1890.

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Protocols of Proceedings of the International Marine Conference held in Washington, October 16 to December 31, 1889.

Sir J. Pauncefote to the Marquis of Salisbury.—(*Received June* 2.)

My Lord, *Washington, May* 23, 1890.

WITH reference to my despatch of the 7th March, I have the honour to transmit herewith the official copy of the Protocols of the International Marine Conference which has just been laid before Congress by the President of the United States.

I understand that Volumes II and III, containing the Reports and Appendices, will not be ready till the end of the month.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure.

Protocols of Proceedings of the International Marine Conference held in Washington, D. C., United States of America, October 16 *to December* 31, 1889.

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[All remarks of Captain Richard (France), Admiral Viel (Chile), Captain Saldanha (Brazil), Commodore Monasterio (Mexico), and Captain Torres and Lieutenant Seoane (Spain), were delivered in the French language, of which the text is a translation.]

Detailed Programme of Subjects to be considered by the International Marine Conference.

[Framed by the American Delegates in accordance with instructions from the Department of State, March 1889.]

General Division I.

Marine Signals or other means of plainly indicating the Direction in which Vessels are moving in Fog, Mist, Falling Snow, and Thick Weather, and at night.—Rules for the Prevention of Collisions, and Rules of the Road.

1. Visibility, number, and position of lights to be carried by vessels:—

(*a.*) Steamers under way.
(*b.*) Steamers towing.
(*c.*) Vessels under way, but not under command, including steamers laying cable.
(*d.*) Sailing-vessels under way.
(*e.*) Sailing-vessels towing.
(*f.*) Vessels at anchor.
(*g.*) Pilot-vessels.
(*h.*) Fishing-vessels.

2. Sound-signals; their character, number, range, and position of instruments:—

(*a.*) For use in fog, mist, falling snow, and thick weather, as position-signals.
For steamers under way.
For steamers towing.
For sailing-vessels under way.
For sailing-vessels towing.
(These signals to show the approximate course steered if possible.)
For vessels at anchor.
For vessels under way, but not under command, including steamers laying cable.
(*b.*) For use in all weathers as helm-signals only.
For steamers meeting or crossing.
For steamers overtaking.
For steamers backing.
(*c.*) Whether helm-signals shall be made compulsory or remain optional.

3. Steering and sailing rules:—

(*a.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by each other.
(*b.*) Steamers meeting, crossing, overtaking, or being overtaken by each other.
(*c.*) Sailing-vessels meeting, crossing, overtaking, or being overtaken by steamers.
(*d.*) Steamers meeting, crossing, overtaking, or being overtaken by sailing-vessels.
(*e.*) Special Rules for channels and tide-ways, where no local Rules exist.
(*f.*) Conflict of international and local Rules.
(*g.*) Uniform system of commands to the helm.
(*h.*) Speed of vessels in thick weather.

General Division II.

Regulations to determine the Seaworthiness of Vessels.

(*a.*) Construction of vessels.
(*b.*) Equipment of vessels.
(*c.*) Discipline of crew.
(*d.*) Sufficiency of crew.
(*e.*) Inspection of vessels.
(*f.*) Uniform certificates of inspection.

General Division III.

Draught to which Vessels should be restricted when loaded.

Uniform maximum load mark.

General Division IV.

Uniform Regulations regarding the Designating and Marking of Vessels.

(*a.*) Position of name on vessels.
(*b.*) Position of name of port of registry on vessels.
(*c.*) Size of lettering.
(*d.*) Uniform system of draught marks.

General Division V.

Saving Life and Property from Shipwreck.

1. Saving of life and property from shipwreck at sea:—

(*a.*) Duties of vessels after collision.
(*b.*) Apparatus for life-saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)
(*c.*) The use of oil and the necessary apparatus for its use.
(*d.*) Uniform inspections as to (*b*) and (*c*).

2. Saving of life and property from shipwreck by operations from shore:—

(*a.*) Organization of, and methods employed by, life-saving institutions.
(*b.*) The employment of drilled and disciplined crews at life-saving stations.
(*c.*) The maintenance of a patrol upon dangerous coasts by night, and during thick weather by day, for warning off vessels standing into danger, and for the early discovery of wrecks.
(*d.*) Uniform means of transmitting information between stranded vessels and the shore.
(*e.*) Life-boats, life-saving apparatus and appliances.

3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

General Division VI.

Necessary Qualifications for Officers and Seamen, including Tests for Sight and Colour-Blindness.

(*a.*) A uniform system of examination for the different grades.
(*b.*) Uniform tests for visual power and colour-blindness.
(*c.*) General knowledge of methods employed at life-saving stations.
(*d.*) Uniform certificates of qualification.

General Division VII.

Lanes for Steamers on frequented Routes.

(*a.*) With regard to the avoidance of steamer collisions.
(*b.*) With regard to the safety of fishermen.

General Division VIII.

Night Signals for communicating Information at Sea.

(*a.*) A Code to be used in connection with the International Code Signal Book.
(*b.*) Or a supplementary Code of limited scope to convey information of special importance to passing vessels.
(*c.*) Distress signals.

General Division IX.

Warnings of approaching Storms.

(*a.*) The transmission of warnings.
(*b.*) The uniformity of signals employed.

General Division X.

Reporting, marking, and removing Dangerous Wrecks or Obstructions to Navigation.

(*a.*) A uniform method of reporting and marking dangerous wrecks and derelicts.
(*b.*) The division of the labour, cost, and responsibility among the several maritime nations, either by geographical apportionment or otherwise—
Of the removal of dangerous derelicts;
And of searching for doubtful dangers, with a view of removing them from the Charts.

General Division XI.

Notice of Dangers to Navigation.—Notice of Changes in Lights, Buoys, and other Day and Night Marks.

(*a.*) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(*b.*) A uniform method of reporting, indicating, and exchanging information by the several maritime nations—to include the form of Notices to Mariners.

(*c.*) A uniform method of distributing this information.

General Division XII.

A uniform System of Buoys and Beacons.

(*a.*) Uniformity in colour of buoys.

(*b.*) Uniformity in numbering of buoys.

General Division XIII.

The Establishment of a Permanent International Maritime Commission.

(*a.*) The composition of the Commission.

(*b.*) Its powers and authority.

Proposed Grouping of Subjects for consideration by Committees of the International Marine Conference.

1. Rules of the Road and signals—General Divisions I and VIII.
2. Saving of life and property from shipwreck by operations from shore—General Division V, subdivision No. 2.
3. Construction and equipment of vessels, and saving of life and property from shipwreck at sea—General Divisions II, III, and IV, and subdivision No. 1 of V.
4. Qualifications of officers and seamen—General Division VI.
5. Steam lanes—General Division VII.
6. Official inquiries into shipwrecks and other casualties—General Division V, subdivision No. 3.
7. Transmission of warnings and information, buoys, &c.—General Divisions XI, X, XI, and XII.
8. Permanent Maritime Commissions—General Division XIII.

All of which is respectfully submitted.

(Signed) S. R. FRANKLIN, *Rear-Admiral.*
W. P. SAMPSON, *Commander, United States' Navy.*
S. I. KIMBALL, *General Superintendent, Life-Saving Service.*
JAS. W. NORCROSS, *Master Mariner.*
JOHN W. SHACKFORD, *Master, Merchant Marine.*
WILLIAM W. GOODRICH, *Counsellor-at-Law.*

Reception of Delegates and Organization of Conference.

Washington, D. C., Wednesday, October 16, 1889.

IN response to the invitation extended by the President of the United States to all the Maritime Governments to be represented at an International Marine Conference, to secure greater safety for life and property at sea, Delegates from the following countries: Austria-Hungary, Belgium, China, Chile, Denmark, France, Germany, Great Britain, Guatemala, Honduras, Italy, Japan, Mexico, the Netherlands, Norway, Russia, Siam, Spain, Sweden, the United States of America, and Venezuela, assembled at 11 o'clock in the forenoon of the 16th October, 1889, in the Diplomatic Reception-room of the State Department.

After the presentation of the Delegates to the Secretary of State, the latter welcomed them in the following words:—

"Gentlemen,

"It is the cause of extreme gratification to the Government of the United States that its invitation to the Maritime Powers of the world has been met with so general a response. Representatives from Asia, from Europe, from North and South America, and from the isles of the sea

will compose the Conference. On behalf of the United States I welcome you all, Gentlemen, to the honourable, the scientific, the philanthropic duties which lie before you. The already and the rapidly increasing intercourse between continent and continent, between nation and nation, demand that every protection against the dangers of the sea and every guard for the safety of human life shall be provided.

"The spoken languages of the world will continue to be many; but necessity commands that the unspoken language of the sea shall be one. That language must be as universal as the needs of man for commerce and intercourse with his fellow-man. The deep interest which the maritime nations have taken in the questions at issue is shown by the eminent character and the wide experience of the Delegates to whom they have committed the important work. Again, Gentlemen, I welcome you, and after your preliminary organization is completed, it will be my pleasure to present you in person to the President of the United States."

The Delegates having then assembled for permanent organization, Mr. Charles Hall, Q.C., M.P., one of the Delegates from Great Britain, being granted the floor, nominated Rear-Admiral S. R. Franklin, one of the Delegates from the United States of America, as permanent President of the Conference. This motion being seconded by several Delegates, and voted upon in the affirmative unanimously, Rear-Admiral S. R. Franklin was declared elected to the Chair, in accepting which honour he addressed the Conference in the following words:—

"Before proceeding to the further organization of the Conference, I desire to express to the Delegates my high appreciation of the distinguished honour they have conferred upon me in selecting me to preside over their deliberations.

"The little experience which my profession affords in the Parliamentary duties I am now called up to perform encourages me to hope for the indulgence of the Conference in any errors of judgment I may commit.

"I feel that it is needless for me to say that in any rulings or decisions which I may be called upon to make I shall endeavour to be governed by a spirit of entire fairness, and I trust that my efforts will meet the approval of the Conference.

"Thanking you, Gentlemen, for the honour you have done me, I now declare the Conference ready for its further organization."

Mr. William W. Goodrich, a Delegate for the United States of America, then moved that the Conference adjourn until 11 o'clock in the forenoon of Thursday, the 17th October, 1889, to meet at the Wallach House. This motion being voted upon and carried unanimously, the meeting was declared adjourned.

The Delegates were afterwards formally presented to the President of the United States; the latter, standing in the centre of the semicircle, spoke a few informal words of welcome, expressing his gratification that the Conference had assembled under such pleasant auspices. He expressed his deep personal interest in the result which might be anticipated and, he trusted, attained by the Conference, and hoped that the passage of the seas might be made as safe as it has been made rapid.

The President, in conclusion, said that the object for which the Conference had assembled was one which would attract universal interest, and its attainment would be warmly welcomed by all nations.

Washington, D. C., Thursday, October 17, 1889, 11 *o'clock* A.M.

THE Conference met in pursuance of adjournment, with Rear-Admiral Samuel R. Franklin, United States' Navy, the President, in the Chair.

The meeting was called to order at 11 o'clock A.M.

The President.—The business in order will be the further organization of the Conference. Motions are in order for the further organization.

Mr. Hall (Great Britain).—Mr. President, I beg to move that Lieutenant V. L. Cottman, of the United States' Navy, be the First Secretary of the Conference.

The motion, being duly seconded, was put and was unanimously carried.

Mr. Goodrich (United States).—Mr. President, I move that Mr. Cecil A. Spring Rice be the Second Secretary of the Conference.

The motion, being duly seconded, was put and was unanimously carried.

The President.—Mr. Spring Rice is one of the Secretaries of the Conference. Are there further motions?

Dr. Sieveking (Germany).—Mr. President, I move that Mr. Charles Ribière be one of the Secretaries of the Conference.

The motion, being duly seconded, was put and unanimously carried.

And, upon the motion of Captain Richard, Mr. Walter Blaess, the Secretary of the German Delegation, was elected a Secretary of the Conference.

And thereupon the roll of the Conference was called, and the following members answered to their names:—

Austria-Hungary—
Baron de Spaun, Rear-Admiral, Imperial-Royal Navy.
Lieutenant Anton Sanchez de la Cerda, Aide-de-camp and Secretary to Admiral de Spaun.

Belgium—
Mr. Theobald Verbrugghe.

China—
Captain A. M. Bisbee.
Commander Chen Ngen Tao, Chinese Navy.
Lieutenant Chia Ni Hsi, Chinese Navy.

Chile—
Rear-Admiral Oscar Viel, Chilean Navy.
Lieutenant Ricardo Beaugency, Chilean Navy.

Denmark—
Mr. August Garde.
Mr. A. Schneider.

France—
Captain E. Richard, Naval Attaché, French Embassy at London.
Captain Henri Lanneluc, Vice-President of the Geographical Society of Bordeaux.
Mr. Henri Vetillart, Engineer-in-chief of Bridges and Roads.
Mr. Charles Ribière, Engineer of the First Class.
Mr. George Denis Weil, Judge of the Tribunal of the First Instance of the Seine.

Germany—
Dr. F. Sieveking, of Hamburg, President of the Hanseatic High Court of Appeal.
Captain A. Mensing, German Navy.
Mr. August Feigel, Consul-General of Germany at New York.
Privy Councillor Christian Donner, Retired Captain, German Navy.

Great Britain—
Mr. Charles Hall, Q.C., M.P.
Admiral Sir R. More Molyneux, K.C.B.
Admiral N. Bowden-Smith.
Mr. Thomas Gray, C.B., Assistant Secretary, Marine Department, Board of Trade.
Admiral Sir George Nares, K.C.B.
Captain Henry Wyatt, Peninsular and Oriental Steam-ship Company.
Captain T. G. Kendall, Dublin Steam Packet Company.

Italy—
Chevalier Raphael Settembrini, Captain, Royal Navy.

Japan—
Shiuzo Tsukahara, Imperial Department of Communications.
Lieutenant R. Baba, I. N., Naval Attaché to Japanese Legation at Washington.

Mexico—
Señor Don Matias Romero, Mexican Minister to Washington.
Señor Don Angel Ortiz Monasterio, Commodore, Mexican Navy.

Netherlands—
Mr. D. Hubert, Captain, Steam Navigation Company,
Mr. G. H. Van Steyn, Commander, Netherlands Royal Navy.

Norway—
Mr. T. Salvesen, Captain, Norwegian Royal Navy.
Mr. S. W. Flood, Agent of the several Maritime Insurance Companies in New York.

Russia—
Vice-Admiral Kaznakoff, Imperial Navy, Chief Inspector of Marine Artillery.

Siam—
Mr. Frederick Verney, of the Siamese Legation in London.

Spain—
Señor Don I. Varela de Torres, President of the Spanish Marine Commission in New York.
Don Baldomero Vega de Seoane, Lieutenant, Spanish Navy.

Sweden—
Mr. Frederick Malmberg, Chief of the Nautical Meteorological Bureau, Captain, Royal Navy.

Venezuela—
Señor Francisco Antonio Silva, Chargé d'Affaires of Venezuela at Washington.
Señor José Andrade, Venezuelan Commission on American Claims.

United States—
Rear-Admiral Samuel R. Franklin, United States' Navy, President.
Captain William T. Sampson, United States' Navy.
Sumner I. Kimball, General Superintendent, United States' Life-saving Service.
Captain James W. Norcross, Master, Merchant Marine.
Captain John W. Shackford, Master, Merchant Marine.
William W. Goodrich, Esq., Councillor-at-Law.
Clement A. Griscom, President of the International Navigation Company.

Secretaries—
Lieutenant V. L. Cottman, United States' Navy.
Mr. Cecil A. Spring Rice, Great Britain.
Mr. Walter Blaess, Germany.
Mr. Charles Ribière.

Mr. Goodrich (United States).—Mr. President, I move that "Crocker's Manual" be adopted as the rule of Parliamentary procedure for the Conference. In making this motion, I would say to the members that this little volume, of which copies will be furnished to-morrow, is a book very highly recommended to the President of the Conference by the late Mr. Cox, a Member of Congress, and an acknowledged authority upon Parliamentary Law.

The President.—It is moved that "Crocker's Manual" be adopted as the rule of Parliamentary procedure for this Conference.

The motion was put and carried unanimously.

Captain Sampson (United States).—Mr. President, I desire to offer the following Resolution:—

"*Resolved*,—That the hours of the sitting of the Conference be from 11 A.M. to 4 P.M., with an hour of recess at 1 P.M. on Monday, Tuesday, Wednesday, and Thursday, and from 10 to 1 o'clock on Friday."

The object of the change on Friday is to give those who wish to leave town an opportunity to take the afternoon train.

The Resolution was read by the Secretary, and being put by the President, was unanimously adopted.

Mr. Goodrich (United States).—Mr. President, I move that 250 copies of the present International Rules of the Road, as adopted in 1884, be printed in English, and 200 copies in French, on paper having a wide margin for annotations, and that a Memorandum be added showing the differences of the English and American Rules.

I would say that at a preliminary meeting of the American Delegates in the spring, Lieutenant Staunton, who was at that time acting as the Secretary of the American Delegation, prepared a list, which I have here, showing the differences in the two Codes. I speak here of those only the language of which I understand, which is English. The chief difference in the Rules is in regard to Article 10, and especially section (*a*), about fishing-vessel lights. I suggest that, if we have these copies of the English Code printed as they were published in 1884, and then the amendments by Act of Congress in 1885, we shall be able to have a paper at our hand upon which we can act understandingly, and that it be printed upon wide sheets, so that we can make annotations as we see fit.

Captain Sampson suggests, also, that it would be very wise if a similar Memorandum be made in regard to any differences between the English Code and the Code of each nation here represented. I have purposely made my Resolution refer to printing the English Rules as being the leading Maritime Rules of the world. They were first adopted by England, and subsequently by the other Powers. I think 250 copies in English and 200 copies in French will be sufficient.

The President.—Will you be kind enough to put that motion in writing?

The motion was thereupon read by the Secretary, as follows:—

"*Resolved*,—That 250 copies of the present International Rules of the Road, as adopted in 1884 by England, be printed in English, and 200 copies in French, on paper having a wide margin for annotations, and that a Memorandum be added showing the differences of the English and American Rules."

Mr. Hall (Great Britain).—Mr. President, I would move that, in addition to the Rules of the 15th August, 1884, which are the general Rules to which the learned Delegate has referred, we have printed some of the subsidiary Rules, which I dare say have escaped his attention, which were published on the 30th December, 1884, and on the 24th June, 1885. One is with regard to fishing-vessels, and the other with making slight alterations in the Rules of 1884, which I need not refer to in detail. They are generally bound up and printed with the Rules of 1884, and probably they may be included within the words of the motion of Delegate Goodrich; but to prevent any doubt, I move that they be printed altogether.

Mr. Goodrich (United States).—Mr. President, I accept the amendment.

Mr. Hall (Great Britain).—Mr. President, before proceeding to discuss the various matters to be dealt with in this Conference, I think it is desirable that I should state briefly the instructions which Her Majesty's Government have given to my colleagues and myself. I need not say that Her Majesty's Government are most anxious that the deliberations of this Conference should have a permanent result in arriving at conclusions upon these very important matters in which the interests of all maritime nations are altogether in common, and on the consideration of which their views will probably be harmonious.

Her Majesty's Government recognize that in the institution of this Conference by the United States their object and aim had been to promote the universal interests and welfare of the whole of seafaring humanity. Under these circumstances Her Majesty's Government have thought it desirable to limit their instructions to my colleagues and myself to the matters set down in General Divisions I and III. In doing this they wish it to be clearly understood that, whilst they do not see any reason at the present moment to object to the subjects contained in the Programme, as in themselves unsuitable for international discussion, the scope of the Programme appears to them too extensive to afford any prospect that the Conference can arrive at valuable conclusions upon all the subjects proposed within any session of reasonable duration.

I may also point out that circumstances may arise during the Conference which may render the discussion of some one or other of the subjects unnecessary. And it is for these reasons and from their anxious desire that a practical result may flow from the proceedings of this Conference that Her Majesty's Government have thought it desirable to limit their instructions as I have mentioned. I may add, on behalf of my colleagues and myself, that we shall use our best endeavours to render to the Conference all the assistance that lies in our power, and we beg to offer our hearty congratulations to our foreign colleagues upon our having been able to secure the valuable co-operation of yourself as their President.

In accordance with the understanding arrived at between the Government of the United States and that of Her Majesty, the British Delegates will not have power to bind Her Majesty's Government; any proposal which the British Delegates will make and any action which the Conference may adopt or recommend will be *ad referendum* only for the consideration and decision of Her Majesty's Government.

Mr. Goodrich (United States).—Mr. President, I move the following Resolutions:—

"*Resolved*,—That the Conference proceed to the discussion of General Division I of the proposed detailed Programme as framed by the American Delegates, and continue the consideration of the same until its completion.

"*Resolved*,—That the Articles of the revised Regulations for Preventing Collisions at Sea, and known as the International Rules, be considered Article by Article, in numerical order.

"*Resolved*,—That each nation represented in the Conference be entitled to one vote upon each motion or question presented."

The President.—Do you offer those as separate Resolutions?

Mr. Goodrich (United States).—Mr. President, in any way the Conference sees fit to act upon them.

The President.—It would be preferable to offer them as separate Resolutions.

Mr. Goodrich (United States).—Mr. President, then I will move the last of them first, as to the right of each nation to cast one vote, as follows:—

"*Resolved*,—That each nation represented in the Conference be entitled to one vote upon each motion or question presented."

The Resolution was submitted to the Conference and adopted.

The President.—The Secretary will now please read the next Resolution.

The Secretary read as follows:—

"*Resolved*,—That the Conference proceed to the discussion of General Division I of the proposed detailed Programme as framed by the American Delegation, and continue the consideration of the same until its completion.

"*Resolved*,—That the Articles of the revised Regulations for Preventing Collisions at Sea, and known as the International Rules, be considered Article by Article, in numerical order."

The Resolutions were presented to the Conference, and were unanimously adopted.

The President.—The Chair will say to the Conference that owing to the inevitable delay in procuring the services of a French stenographer, it would seem to be inconvenient to go on with the discussion this morning except in English. If there be no objection to this we can proceed, and the matter will appear in the Protocol afterwards in both languages. If there be suggestions upon this subject, I should be very glad to hear them.

Mr. Goodrich (United States).—At the suggestion of the President, I present the following Resolution:—

"*Resolved*,—That the discussions and proceedings of the Conference be conducted in English or French, and that the Protocol be printed in both languages."

The Resolution was read by the Secretary, and was unanimously adopted.

The President.—The Chair would like a suggestion as to the manner of proceeding, or otherwise, without the French stenographer. It was expected that he would be here this morning, but he missed the train. If there be no objection, however, the Conference will proceed as indicated by the Resolution.

Mr. Goodrich (United States).—Mr. President, I move that the first section of the International Rules be read.

The Secretary read Article 1, as follows:—

"Article 1. In the following Rules, every steam-ship which is under sail, and not under steam, is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam."

Mr. Goodrich (United States).—Mr. President, I move the following as a substitute for that Article: "In the following Rules every steam-vessel"—I am changing the word "ship" to "vessel"—"every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam."

In making this proposition, I am led to it for some reasons which I will state as briefly as possible.

The President.—I think the Secretary had better read that Resolution for the information of the Delegates.

The Secretary read as follows:—

"Article 1, as proposed:

"In the following Rules, every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam."

Mr. Goodrich (United States).—Mr. President, I think I may say a few words in regard to this motion or this subject before the Conference, as indicating my own position upon the Code. I desire to preface my remarks by stating that while the United States' Delegates have not conferred upon the subject for reasons known to themselves, they will hereafter have such arrangements as will enable them to speak unitedly.

In looking over these Regulations any one will discover a number of verbal inaccuracies, and that language is used which does not cover the object intended. I do not believe that this Code as now adopted by the maritime nations is as sacred as the Ark of the Covenant, upon which we may be afraid to lay our hands for its betterment. While I propose to be as conservative as possible in regard to unnecessary changes in these Rules, I am led to the belief that while we are here assembled, at great inconvenience to ourselves, we ought to make this Code as perfect as possible. For the first time in the history of the world a Conference of all the Maritime Powers has assembled to formulate a Code. We are to proceed, perhaps, on the theory that learning, ingenuity, and experience have been brought to bear in the formation of the Code as it now exists, but we must also remember that the various Powers have selected men peculiarly fitted to the framing of a perfect Code, and I think I do not magnify our office, Gentlemen, when I say that if we faithfully and fitly discharge our duties, we shall enact a Code which will be as permanent as the Laws of Oleron, or in a more limited sphere, as distinguished as the Code Napoléon or the Pandects of Justinian. It is to me the proudest moment of my life that I am permitted to unite with the distinguished Representatives of foreign Governments in the establishment of these Regulations for the government of vessels at sea.

Now, a word about the use of the terms "vessel" and "ship." I find in an English decision in the "Libra" case the following language by Judge Jessel, the late Master of the Rolls, who said:—

"It must be remembered what these Rules are. They are issued for the guidance of masters of vessels, and therefore the proper mode of construing them is to read them literally. . . . . Certainly, Rules issued as these are should be construed literally if they can be construed at all."

I believe that citation was approved by Judge Brett, the present Master of the Rolls, in another case.

In other words, says the Court, these Rules must be construed by the Courts literally, viz., without intending any play upon words—as an illiterate sailor would construe them; because, gentlemen of the Conference will observe, these Rules of the Road are to be used in two forums. The first is the deck of the ship, amid excitement and danger; and the other is the Court, in the cooler and more quiet atmosphere of judicial investigation. It is exceedingly desirable, as Judge Jessel has said, that these Rules should be so framed that they may be construed literally by the man who has, if I use the proper sailor-phrase in the presence of these distinguished naval gentlemen, climbed from the forecastle and jumped from the taffrail.

I read the word "ship" to be what Webster defines "ship" to be—"one indicating a particular naval structure." "Vessel" is more comprehensive. It is a generic term. Let us see what Webster says. He defines "vessel" as "any structure made to float upon the water for the purpose of commerce or war, whether propelled by wind, steam, or oars." He defines the word "ship" as "any large sea-going vessel." Secondly, "as what we technically know as a ship or vessel, a three-mast square-rigged," &c.

Now, I would suggest that right here, at the beginning of these Articles, we make the wording such that it may be construed absolutely literally; and when we speak of a "ship," let us mean ship, and when we mean a boat, or a trawler, or pilot-vessel, let us say so; but when we speak of the whole class of marine structures, let us use the word "vessel."

Now, let me also call your attention to the fact that in these Rules upon the table, headed "Circular.—Lights, Steering and Sailing Rules, &c., to prevent Collisions at Sea," issued by the Treasury Department, the same etymology is used, and it arises as follows: In the Revised Statutes, section 4233, which was passed, I think, in 1864, the word "steam-vessel" was used. In the Thames River Act, I notice, and call the attention of the English Delegates to the fact to correct me if I am wrong, that the word "vessel" was sometimes used, and I do not know but that it was always used. I am not quite certain of that. I find that in the Thames River Act in 1880 it was found necessary to say what the word "vessel" meant. I found this morning, when the subject was called to my attention, that the Thames River Act does define what the word "vessel" shall mean.

In other words, even the English Act of Parliament was so uncertain in the use of the word "ship" that it was found necessary to add another section to the Statute, which defines the use of the word "vessel."

Gentlemen may say at once, especially gentlemen of my own profession, Do not disturb what has already been construed by the Courts. That is a very good rule, and if these Rules were to be construed by Courts alone there would be no necessity for a change. But, as I have said before, these words are to be construed by sailors, and acted upon long before the Courts are called upon to construe them, and under circumstances brought to their attention by some accident or difficulty. If, however, the

word "vessel," which refers to every maritime structure, according to its ordinary acceptation, be used, any one can understand it. I may confess that when I first read these Rules the question arose in my mind, after reading this first Article, whether it was confined to steam-ships or sailing-ships, or whether there were other provisions in the Act which related to smaller craft. Of course this is rather an important discussion, or the opening of a discussion, for the reason that if we make this change there will be other changes in the Act which must necessarily follow; and perhaps it is due to that importance that we should postpone taking a vote upon it, unless it is the unanimous opinion of the Conference that such a change is proper. I may add, and I am speaking of what you all know, that in other sections of these Rules the words "fishing-vessels," "drift-net vessels," "all vessels," "fishing-boats" are used; and with a little care, commencing in the line which I have indicated, we can carry the same thought through all of these Rules without impairing their resemblance to the present Rules and Regulations.

Mr. Hall (Great Britain).—Mr. President, I am sure that my brother Delegates will agree with the learned Delegate from the United States in the sympathetic words which he has used, and in the desire which he has expressed that the results of this Conference and the Rules which may be framed by this Conference may be worthy of the occasion. I think that we all feel that it is a most desirable thing that we should endeavour to frame these Rules in such a manner that they should be harmonious and be capable of being read without any difficulty; also, that the phraseology should be of such a nature that it can be easily understood, not only by seamen but by laymen, and *vice versâ*. For that reason we Delegates for Great Britain, at any rate, so far as we can see, agree to the proposition which has been submitted by the Delegate from the United States. Of course it is a serious change to make without consideration. But we see not only no objection to it, but we see that probably it will be fraught with considerable advantage if we adopt the proposal which has been made to the Conference.

But before I finally state our views as to that, I would like to say briefly a word or two with regard to what has fallen from Delegate Goodrich with regard to the framing of the Rules. It is perfectly true that the words "ship" and "vessel" are used apparently in one sense. They may appear to be used indiscriminately. But our Courts have always placed a definition upon the word "ship." In our Courts the word "ship" has always been held to be every vessel not propelled by oars. But when it came to framing Rules for the River Thames, where you have to frame Rules not merely for vessels not propelled by oars, but you have to frame Rules for all the numerous craft which ply upon the Thames, many of them of considerable size, which are propelled only by oars, it was then necessary to use the word and to have the definition laid down that the word "vessel" was to include not merely vessels not propelled by oars, but all vessels, of every possible description, whether propelled by sails or oars. I point that out as the reason why the Thames Rules adopted the word "vessel."

But, as the learned Delegate from the United States has pointed out, if we adopt this phraseology in the first Rule, no doubt we shall have to take great care in framing the succeeding Rules, so that they shall always be harmonious with the word used in Article 1. I confess, myself, that I am inclined to view with great satisfaction the proposition that we should have our Rules all drawn using the same words if possible. Of course, as the Delegate from the United States has pointed out, this Rule, although it appears only a form of words, is a matter of very great importance. I should not like to give a decision on the point without our being able to consider it. I do not know, Sir, whether or not you propose to have a second reading of the Rules or merely to have a single reading of them. I do not know, Mr. President, what would meet the views of yourself or the members of the Conference upon that point. If there is only one reading, I think it is desirable that we should be able to have the proposed Rules before us, because I have not a copy before me of the present proposed Rule, and it is very difficult to carry in one's mind the exact wording of a clause. I should like to have it before me so that my brother colleagues and I can see it. If the proposition be to have a second reading of these Rules, I should certainly, so far as my colleagues and myself are concerned, support the first reading of the Rule which Delegate Goodrich has proposed.

Mr. Goodrich (United States).—Mr. President, I presume my friend uses the language of Parliament in regard to the first and second readings. Does he mean a first reading, with a second reading immediately following?

Mr. Hall (Great Britain).—Mr. President, what I mean is that if there is a first reading, it is always proper upon the second reading to point out any objection if any one has overlooked something. It is not irrevocable upon the first reading; for if it is cumbersome it can be amended. I propose that the proposition be printed so that we can each have a copy of it before us, and then we can determine to vote upon it to-morrow, or at any time it is desirable. All that I desire to point out is that it would be undesirable to vote upon such a proposition until we have it already before us and are able to consider it amongst ourselves.

Mr. Goodrich (United States).—Mr. President, I am very glad that this method of discussion has arisen. These are questions as to what is the better course for us to pursue after due deliberation and care. I really do not see any necessity for first and second readings in pursuance of the Parliamentary practice. Even in the United States we have a first and second, and even a third reading. But in practice the first is simply the reading of the Bill by its title, and the second is the same, while the third involves the discussion of the Bill. All of that is perhaps a necessity in great legislative bodies, but I doubt whether it is necessary here. I do not even suppose that the passage of a Resolution adopting the first Article, for instance, would be finally binding upon all the members, because all of that could be reviewed when we came to read over the entire Articles for adoption as a whole. So it seems to me that unless the learned Delegate from Great Britain has some desire to have a first and second reading that there will be no necessity for it. But it may be well to have a sort of an understanding—an unwritten law here—that we do not pass upon any Article upon the day of its reading, or until the amendment has been printed and submitted, even for forty-eight hours, but

certainly for one day. Without any formal Resolution I presume that we might consider that as one of the unwritten laws of the Conference.

The President.—What action do you propose to take upon the Resolution at the present time?

Mr. Goodrich (United States).—Mr. President, I suggest that this amendment be printed and furnished to the Delegates to-morrow morning.

The President.—It will have to be laid on the table to-morrow morning.

Mr. Hall (Great Britain).—Mr. President, then we could deal with it on the following day. That would be forty-eight hours from the proposal. We should receive it in print on the following morning, so that it would give us a fair day after we received it in print to consider it.

The President.—If there be no objection that course will be pursued. The Resolution will be will be laid on the table and given to the Delegates to-morrow to be considered on the following day.

The President.—Shall the second Article be now read? The Secretary will please read the second Article.

The Secretary read the second Article, as follows :—

"*Lights.*

"Article 2. The lights mentioned in the following Articles numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, and no others, shall be carried in all weathers, from sunset to sunrise."

The President.—Article 2 is before the Conference.

Captain Salvesen (Norway).—Mr. President, the meaning of the word "carry" in this Article is not clear. It refers not only to fixed lights, but to lights (such as those mentioned in Article 11) which have only to be shown and not allowed to be carried.

Mr. Goodrich (United States).—Mr. President, will the gentleman from Norway allow me to say that perhaps his suggestion is met in Article 3, where it expressly says that "a sea-going steam-ship, when under way, shall carry on or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light," and so on? And so in regard to coloured lights on the starboard side: "A green light, so constructed as to show a uniform and unbroken light over an arc of the horizon," &c. If your attention is called to that, it may meet your suggestion.

Captain Richard (France) thereupon addressed the Conference in French, which was not reported.

The President.—The Delegate from France proposes to discuss Article 2 at some future time. This is a very important subject, and I think it would be well to pass it over now and take up each Article separately. Do I understand correctly that the general discussion of that Article is to be passed over for the present?

Mr. Hall (Great Britain).—Mr. President, I quite agree with the gallant Delegate from France that it is undesirable to pass this Rule, stating the numbers of the Rules to which it is to apply, because we may deal with the Rules which come after this, and it might render it unnecessary to pass all that portion of Article 2. I apprehend that it will be necessary for us, before we consider especially the Articles to which it refers, to consider generally what the lights are which are to be carried by vessels at sea, and then to discuss afterwards the Rules *seriatim*. I apprehend that it will be a waste of time to discuss the Rules which follow this *seriatim* until the Conference has determined generally upon what the lights are which are to be carried by vessels at sea. I think that that is what my friend, the gallant Delegate from France, meant in the observations which he addressed to the Conference. It was not that we should not discuss what the lights to be carried ordinarily by vessels at sea should be, but that it was useless to say that Articles 1, 2, 3, 4, 5, 6, 7, 8, &c., should be controlled by this Article until we considered those Articles in their order to see whether or not a general Rule should apply to vessels and whether there should be exceptions.

The President.—I so understood the Delegate.

Mr. Hall (Great Britain).—Mr. President, then I think it will be the better course to pursue to leave the numbers in blank, and decide, first of all, generally upon what lights are to carried by vessels at sea, and then we can insert the numbers of the Rules afterwards.

Mr. Verney (Siam).—Mr. President, I do not know that I shall be in order in proposing that we go on with the discussion of Article 3, in accordance with what my friend, Mr. Hall, and what the gallant Delegate from France have just proposed.

Mr. Hall (Great Britain).—Mr. President, before we proceed to do that I would say, with regard to the observation which has been made in regard to the word "carry," if a word is to be suggested instead of the word "carry" we should have notice of it, so that we can consider whether or not it is a desirable substitution for the word "carry." I think we had better have notice what is proposed in that respect before we go to the discussion of Article 3.

Captain Salvesen (Norway).—Mr. President, I think the word "carry," translated into many languages, has different meanings. If it means that these lights have to be exhibited from sunset to sunrise and used, I think a word like "used" would be proper.

The President.—Does the Delegate from Norway propose another word?

Captain Salvesen (Norway).—No, Sir.

The President.—Are you ready to suggest a substitute for the word "carry"? That word has been objected to, but there is no proposition for a substitute. Will the Delegate from Siam please state his motion?

Mr. Verney (Siam).—Mr. President, my motion was that we go on and discuss Article 3. I was under the impression that that was proposed by the gallant Delegate from France and the learned Delegate from Great Britain.

The President.—I do not understand that there is a motion before the Conference as to what disposition shall be made of Article 2.

Mr. Verney (Siam).—Mr. President, I am asked to withdraw my motion for a moment.

The President.—The motion was made by the Delegate from France to pass over for a moment Article 2. Those who are in favour of that motion will say "Aye."

The motion was carried.

Mr. Goodrich (United States).—Mr. President, I think it would be wise to ask Captain Salvesen to formulate his proposition, so that we can have it in print to-morrow.

Captain Salvesen (Norway).—Mr. President, I proposed the words "carried or used."

Mr. Goodrich (United States).—Mr. President, another Delegate suggests the words "displayed or carried."

The President.—The amendment of Captain Salvesen will now be read.

The Secretary read the amendment as follows:—

"The lights mentioned in the following Articles, numbered , and no others, 'shall be carried or used' in all weathers, from sunset to sunrise, in the manner therein prescribed."

The President.—Do I understand this to be a substitute for Article 2?

Mr. Salvesen (Norway).—It is properly a substitute.

Mr. Verney (Siam).—I venture to suggest, Mr. President, that before going into the discussion of these very intricate matters it would be advisable for the Delegates to decide whether these matters are not better dealt with by Committees, which shall report to the Conference. I understand that that has been in the minds of some other members of the Conference, and I venture to make the formal motion in this matter to bring it before you for discussion at this early stage of the Conference, as to whether we should not transact the business in a more expeditious manner, and whether the business will not be more satisfactorily done when we come to discuss these matters in detail by means of Committees. I would ask those gentlemen who are more competent than myself, and more instructed in these matters in this country, whether that is not the best manner of procedure.

Mr. Goodrich (United States).—Mr. President, that matter has been suggested and discussed among several members of the Conference, and I think the ultimate conclusion reached by this informal discussion was that we should get better information, even if it did take a little more time, by discussing in a body the various propositions. There may come a time when for the formulation of a Rule or an Article, after the subject has been fully discussed, a Committee might be appointed to embody the sentiment of the Conference into apt English words. That possibly might be done better by a small Committee; but I really think that the discussions, at least for some time to come, had better be in the whole Committee or in the whole Conference. While I dislike to take so much time as we are likely to take here, yet, as I said before, we are embarked in a great work, and we may well spend a great deal of time even over the dotting of an "i" or the crossing of a "t."

Señor Romero (Mexico).—Mr. President, it is with very great diffidence that I venture to speak on this occasion. I find that there is a provision in the Parliamentary Rules providing for the appointment of Committees. I am not sufficiently familiar with these many questions to decide upon it; but it seems to me this matter, as well as any other, will be much better considered in Committees and adjusted there, and when brought to the knowledge of the Conference a great deal of time will be saved. It has been the universal rule with Parliamentary bodies to organize themselves into Committees, and experience has shown that that is the best way to save time, and it is so regarding this Conference. It seems to me that it is a very important point that these Parliamentary rules provide that Committees shall be appointed, and that it would be the proper thing to do—to appoint Committees to consider these things. Of course they would consist of competent men who could digest these questions, and I have no doubt that time will be saved in that way.

Mr. Hall (Great Britain).—Mr. President, I quite agree with the learned Delegate from Siam and the distinguished Delegate from Mexico that it may be desirable that, at some stages or stage in our proceedings, a Committee or Committees should be appointed. I think it highly possible that we may arrive at technical matters in which a Committee, composed of experienced men in that particular branch, may assist the Conference very much with the result of their deliberations in Committees; but I cannot help thinking that, upon a question such as this, which I take to be a very important question of principle and not a technicality, we should have all the assistance we can get from all the members of the Conference. We should have all the assistance we can get upon the general question as to what the lights are which are to be carried by vessels at sea. I do not think that requires any particular knowledge or knowledge of technicality. I think that the broad principle as to what lights vessels of all nations shall carry at sea is one that this Conference ought to decide, and, if it is a proper thing to be decided, it ought to have the assistance of all the Delegates who have come to assist in its deliberation.

Señor Romero (Mexico).—Mr. President, I desire, in answer to some of the remarks made by the learned Representative from Great Britain, to say a few words. I have, of course, very great regard for his experience. I cannot say I have much experience myself. My experience is very limited as compared with his. It is with diffidence that I venture to make some suggestions in this case; but it seems to me that a great deal of time would be saved by the appointment of Committees, and that they would not interfere with the discussion and the knowledge of all members of the Assembly in regard to these matters or prevent them from going before the Committees. In other words, the Committee present their views to the Conference. Sometimes the members of the Committee do not agree, and you have the two sides of the question. It is much easier, especially for such Delegates as myself who are very little familiar with the questions discussed here, to make up their minds in that way. Therefore, the appointment of Committees would save a great deal of time.

Besides, as I said before, I find here in the Rules which have been adopted a provision for Committees, and as we have accepted these Rules I think that we will have to comply with them.

Captain Sampson (United States).—Mr. President, if the Delegates had decided to consider all the questions contained in the Programme which has been submitted to the Conference, I think then it would have been eminently proper to appoint Committees to consider the different Divisions in this Programme. But as the Conference has already adopted a Resolution to take up but one Division at a time for discussion, I do not think it desirable. In this case of lights and Sailing Rules, it seems to me that it is impracticable to divide the subjects, because they are so connected and interwoven that at every point every individual must have the same subject in mind. That is to say, if we should divide the subject we would find that the different Committees were working at cross purposes. The Division which we are considering does not lend itself properly to a division which could be considered by Committees. In view of the fact that we have decided to consider this division by itself, it seems to me that it is eminently proper that we should consider it in Conference and not in Committees.

My friends remind me that the rule laid down in "Crocker on Parliamentary Law" is a permissive rule, and we are not obliged to divide into Committees in considering this question. It provides for Committees, but we are not necessarily to be divided into Committees.

The President.—The Chair would state that some experiments were made by some of the naval vessels of the United States during the past summer upon running lights and fog-signals, which are now being printed and will be presented to the Conference in a few days. There were some plates connected with them, which will not be available for a few days. As that is very pertinent to the subject we are now discussing, I would suggest that no positive action be taken on this Rule until these Reports are available. There seems to be no disposition on the part of any Delegate to suggest anything with regard to a change of lights. When this subject comes before them in the shape of experiment, perhaps there will be some suggestions on that subject. It is rather premature to dispose of a subject as important as the one we are now considering on a snap judgment.

The Chair does not understand that there has been any motion made to appoint Committees. It was merely a suggestion.

The motion before the Conference is that made by the Delegate from Siam, to proceed to the consideration of Article 3.

Mr. Goodrich (United States).—Mr. President, the amendments to Article 2 are to be printed and presented to-morrow?

The President.—They are.

The motion to proceed to the consideration of Article 3 was put by the Chair, and was carried.

The President.—The motion is carried. Article 3 is now under consideration. The Secretary will please read Article 3:—

"*Lights for Steamers.*

"Article 3. A sea-going steam-ship, when under way, shall carry—

"(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light; so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side, a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

(*c.*) On the port side, a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light so as to prevent these lights from being seen across the bow."

Captain Malmberg (Sweden).—Mr. President, the beginning of this section mentions sea-going steam-ships when under way. The learned Delegate from the United States mentioned, in regard to Article 1, that the word "steam-ship" should be changed to "steam-vessel." Now here in these Rules appears "sea-going steam-ships." Taking that Article literally, it would not apply to steamers going on lakes or rivers or such waters. In the translation of these Articles into the Swedish, it reads steamers, all steamers, without exception, have to carry such and such lights. In our Rules the word "sea-going" is omitted, and the Rules apply to all steamers. I should think, in framing the Article in English, the word "sea-going" should be omitted, so that it would have reference to every steamer.

The President.—Will you put that in the form of an amendment?

Mr. Goodrich (United States).—Mr. President, I think perhaps it is proper at this jnncture, when we are all seeking light, for each one of us to indicate the differences from the English Rules, which I suggest that we take as a standard. I think that it may not be uninteresting to the Delegates to know precisely how the American law stands. Up to 1840 there were no enunciated Rules of the Sea. I believe the first of the English Acts was in 1854. There was a Rule in 1840, I believe one single Rule, about the direction in which vessels should pass, and then in the "Merchant Shipping Act" in 1863 there were other Rules which became the rudiments of the present Rules. In 1864—and here considerable confusion will arise unless it is distinctly understood—in 1864 the United States adopted practically the English Rules. These remained in that condition until

England adopted the Rules of 1879; but it was not until 1885 that the United States adopted these Rules. When the United States adopted them they adopted them with some little differences, and these are the differences to which I adverted in speaking of the printing of the English and American Rules.

The Act of Congress provides that the following "revised International Rules and Regulations for Preventing Collisions at Sea shall be followed in the navigation of all public and private vessels of the United States upon the high seas and in all coast waters of the United States, except such as are otherwise provided for."

When Congress came to the final clause of the Act it adopted these International Regulations. It provided for the repeal of all Laws and parts of Laws inconsistent with the revised International Regulations for Preventing Collisions at Sea, and that they "shall be followed in the navigation of all public and private vessels of the United States in the high seas and in all coast waters of the United States, except such as are otherwise provided for." It then added an exception as to the navigation of such vessels within the harbours, lakes, and inland waters of the United States. Thus the members of the Conference will see that the revised International Rules and Regulations, as adopted by England, with the amendments I have suggested, became the American law upon the high seas and coast waters; yet the old Regulations of 1864 continue in force as to harbours, bays, and inland waters. Let me state here a curious thing, which I was telling Delegate Hall about the other night; it is a curious circumstance resulting from the differences in the Code. I think that, in the Regulations of Great Britain of 1863, there was no provision for a stern light. Congress, some time later, I think in March of 1871, passed an Act providing that there should be a light shown by a sailing-vessel to an approaching steamer upon any point or quarter upon which the vessel was approaching.

The Delegates will see at once that the new Regulation provided for showing a light to an overtaking vessel only in inland waters; but as to the high seas that Rule was not in force. In other words, a vessel proceeding from the harbour of New York, bound for sea, if she were in the harbour, bay, or inland water of the United States, was governed by the new Rule, and was required to show a light to an approaching steamer; but when she crossed that imaginary line which divides the harbour or bay of New York from the great sea, she was to follow the laws of Great Britain, and was not bound to show from her stern a white light or a flare-up light. Of course that is utter absurdity; but I have given this as a suggestion that you, gentlemen of the other Powers, may see where you can find our legislation, and wherein it differs from the English legislation, that you may know the difficulties under which we labour in this country. I do not quite comprehend the force and effect of the Thames Act, as to whether it is limited to the Thames River, or whether it covers the internal waters of Great Britain; but here we have one system of Rules for internal waters and one system of Rules for the sea and coast.

Mr. Hall (Great Britain).—Mr. President, I hope I shall not be wasting the time of the Conference if I make a few observations on what has fallen from the learned Delegate of the United States. In 1862, after arrangements and negotiations had taken place between England and France, these two countries agreed to Rules which were adopted by England in the shape of an Act of Parliament in 1862. These were the first International Regulations. They came into force in the year 1863, and by the month of May 1886 a very large number of the Powers adopted them. Among them I find they were adopted by the United States. I should state that in these Rules, although it is true there was no Rule as to a light being shown to an overtaking vessel, there was a Rule that the overtaking vessel was to keep out of the way of the vessel she was overtaking. Now, the learned Delegate for the United States has referred here to local Rules. It is true that it is sometimes difficult for an officer in charge of a vessel, unless he is well posted in his information and knowledge, to know how far his actions should be governed by local Rules, and how far by the Rules at Sea; but in all cases in our inland waters the scope, or rather the *locus*, in which these local Rules are to apply is laid down. I am speaking from memory only, but I think I am correct. The Thames Rules apply not only to the whole port of London, but to the whole of the River Thames down to a fixed point, which is laid down, so that an officer in charge, if he has a copy of the Thames Rules, has only to refer to his chart to see whether or not he is at sea, or whether he is within the waters prescribed for by the Thames Regulations. Many members of the Conference are aware that we have local Rules for a great many of the rivers and inland waters, and of course within these waters those Rules apply.

Captain Malmberg (Sweden).—Mr. President, I understand perfectly well what the learned Delegate says, but we have, in a good many parts of the world, waters where traffic is kept up by sea-going vessels or by coasting steamers. I may take, for example, the Sound, between Denmark and Sweden. There is an immense traffic kept up by small steamers that do not go to sea at all, and if these Rules only apply to sea-going steamers, those steamers keeping up the traffic between these respective countries should be excepted from complying with the International Rules laid down. As I understand it, they only apply to steamers at sea; but the sea is not exactly the high sea. In Sweden we have a large expanse of coast, from 60 to 70 or 80 miles, and every vessel coming from the sea there is a coasting vessel. That coasting vessel would not be obliged to follow the International Rules. I think that is a great mistake, and that every vessel which meets any sea-going vessel should carry lights, and have Regulations of the same description as the sea-going vessels. That is the reason why I want the word "sea-going" taken out, and have the Rule applied to all steamers in every country. Any country which has inland waters and rivers will have to provide special Rules for such navigation.

The President.—There is a Resolution before the Conference.

Mr. Goodrich (United States).—Mr. President, it is of that Resolution I am going to speak.

The President.—The Delegate from the United States.

Mr. Goodrich (United States).—Mr. President, I believe, so far as I know myself, that I am

heartily in favour of one system of lights for sea and inland navigation, and that, I take it, is within the power of this Conference, within the *ad referendum* of this Conference. Of course we are only acting here subject to the adoption of our action by Government and Government. If this Conference recommend the proposition of the gallant Delegate from Sweden, then it will become the subject for the action of each Government, and if it were unanimously adopted by this Conference I have no doubt it would be unanimously adopted by all the Governments represented in the Conference. I see no reason, perhaps by reason of my inexperience in nautical matters, why there should not be the same lights for a steam-boat or steam-ship of any kind proceeding upon the sea when proceeding upon inland waters. Sailors, as we all know, want very few rules; the gentlemen who represented the Board of Trade of Great Britain attempted to impress upon the sailors in some poetic language something which would fix their minds upon the great Rules of the Sea. Now, I do not see why it should not be arranged that inland waters and sea waters should be governed by the same Rules, so far as they can. I do not lay down absolutely that in all these Regulations the same system should apply to both sea and inland vessels; but in the system of lights, let the eye of the man on the look-out be educated to know that a white light, for instance, means an anchor light, and a white masthead-light with two coloured lights means a steamer or steam-vessel, a steam-boat, something under steam, and I think we have simplified the situation a great deal. By and by we will discuss this question of the lights on smaller boats; but it seems to me that we should wipe out, so far as we can, the distinction between sea-going and inland-going vessels. For the present I am very heartily in accord with the gentleman from Sweden.

Mr. Flood (Norway).—Mr. President, I am fully in accord with the amendment proposed by Mr. Goodrich. I would only propose that the amendment should be extended to all waters connected with the sea by natural or artificial means.

The President.—Does the Delegate from Norway propose that as an amendment to the Resolution of the Delegate from Sweden?

Mr. Flood (Norway).—Mr. President, I would only mention that as a subject for discussion.

Mr. Hall (Great Britain).—Mr. President, I would simply point out to the Conference that it would be a very serious thing if we should attempt to pass a Rule, or if we were to pass a Rule, which would result in altering the whole of the local Rules in all countries; and there would also be this difficulty: For instance, some of our launches do not carry side-lights while they are within the inland waters, and you might have a steam-vessel which navigated the River Thames 10 or 15 miles above London which would be affected by such general Rules as have been foreshadowed. That, of course, I do not suppose would be within the intention of any of the members of this Conference; but, of course, it will be very important to consider whether or not we should discuss Rules other than Rules for use at sea. That, of course, is the main question for us to consider here. If we branch off from that, or endeavour to incorporate with them Rules which are to affect all the inland waters, it would require our very serious consideration to know how it would affect each individual country and each individual port within the country.

Mr. Goodrich (United States).—Mr. President, will Delegate Hall permit me to make a suggestion in that regard? No one supposes that we can legislate for Great Britain, nor that Great Britain can legislate for the United States; but a nation in accepting these Rules that we make, if applicable to all vessels—that is, to all vessels in all waters connected with the sea—may except its own country from the operation of the Act. I assume that a collision occurring in waters belonging to the country excepted from the Rule would be tried according to the Rules in force in that country. In other words, that if Great Britain should except the Thames from the operation of this Act, within the limits already prescribed for the Thames local Regulations, if a collision were to occur there and the trial were to be held in the United States, our Court would be governed by the local law. That is a matter entirely within the power of any country to provide for itself as regards the internal waters. I still, for the present, am inclined to believe that it would be wise to make these laws general, so that a nation in adopting them might adopt them for application on the sea, and for inland waters as well, if they saw fit. Of course, you may state the facts another way; that there is another remedy which will accomplish the same thing, and that we could make those sea-going Rules in the United States, and adopt them for the internal navigation. But I then go back to what I tried to suggest early in the Conference, and to the point in regard to which I am trying to express my judgment, as to the importance of this Conference to make laws for the whole world and upon every water upon which a boat can float, and let nation after nation accept as it chooses.

The President.—I desire to announce to the members of the Conference that the President of the Metropolitan Club has asked me to notify the Conference that the members of the Conference will be considered as members of the Club during the time this Conference shall be in session.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

Mr. Goodrich (United States).—Mr. President, the Conference was adjourned so promptly this morning after the communication of the offer of the Metropolitan Club, that I did not have an opportunity of procuring a vote, which I desire now to procure. I desire to present this Resolution:—

"That the thanks of the Conference and of its individual members be tendered to the President and Governors of the Metropolitan Club for their courteous offer of the hospitalities of the Club during the session of the Conference, and that the Secretary transmit a copy of this Resolution to the President of the Club."

The Resolution was read by the Secretary, and adopted.

Mr. Goodrich (United States).—Mr. President, I desire to present one other Resolution :—

"*Resolved.*—That the President shall have power at any time, and from time to time, to name a Delegate to preside during his absence."

The Resolution was read by the Secretary, and adopted.

The President.—Article 3 is now before the Conference for further consideration.

Dr. Sieveking (Germany).—Mr. President, will you allow me to say a word upon a subject before proceeding to further discussion or to the discussion of Article 3? It has been mentioned here that it would be advisable to strike out the word "sea-going," printed in Article 3. Now I beg to say, for the information of the Conference, in the beginning, that in the German Rules the word "sea-going" is omitted. German Article No. 3 commences, "A steam-vessel or steam-ship," not a sea-going steam-vessel. There is a difference between the wording of the British Rules and the wording of the German Rules; and, so far as I understand, the Swedish Rules also. Of course it must be considered whether the word "sea-going" is to be retained or omitted in the International Rules. First of all, I beg to call your attention to Article 25 of the present Rules, where it is said:—

"Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation."

So the Rules, as they stand, are these: Every local authority, every territorial Legislature, is authorized to make special Rules, different from these International Rules, for the navigation of inland waters. But so far as such local Rules do not exist, the International Rules would apply. That is said in the preliminary introduction to our German Rules, where it is stated that these Rules apply to the sea and to the waters connected with the sea, where sea-going vessels ply. Therefore, our German Rules are these, unless there are local or territorial Rules different from the International Rules, all vessels, whether sea-going vessels or not, must conform to these Rules not only on the sea, but also on the waters connected with the sea where there are sea-going vessels. Now, I should be very much obliged if I could be informed what the precise meaning of the word "sea-going" is, because I am not so conversant with this language as to be certain about it. I should think that there might possibly be two different interpretations of the words "sea-going vessels." A sea-going vessel could be taken to mean a vessel which actually is navigating or plying on the sea, so that it would apply to vessels of every description as soon as they are plying on the sea, navigating on the sea, or "sea-going;" that is to say, actually being on the sea. If I correctly understood Mr. Hall, that was his meaning. But I think that another interpretation could be made of it, although I am subject to information from gentlemen who are cognizant of the English language. Another interpretation could be that a sea-going vessel means a vessel whose habitual business it is to navigate upon the sea; so that it means not only a vessel when on the sea, but possibly also a vessel actually on a river.

Now, as I take it from the hint that Mr. Hall has just given me, the first interpretation is the correct one. If we retain these words, "sea-going steam-ship," the consequence would be that sea-going would mean a vessel which is actually on the sea, whether it be a vessel which is generally destined to trade on the sea or to trade on the river only. A steam-ship on the sea would be subject to these Rules, but no other vessel except a steam-ship, when on the sea, would be subject to them. The consequence would be that a large ocean trader, as soon as she left the sea and proceeded up the river, would not be subject to these Rules. There would be no Rules at all, no International Rules, but there would be a possibility of giving local Rules. If no local Rules were given there would be no law for a large ocean trader as soon as she left the sea and proceeded up the river. That would be the system of the English Rules; whilst the system of the German and Swedish Rules would be that every steamer on the high seas, as well as on a river, must carry these lights, subject to exceptions which may be introduced by local Rules. In comparing these systems with one another, my opinion personally is, that it would be much better to frame the Rules so that they would apply not only to vessels which in their general destination are required to carry on their trade on the sea, "sea-going vessels," in this meaning of the word, but also to all other vessels, whether being on the sea or on territorial waters subject always to Article 25, which allows the local Legislatures to establish certain Rules in territorial waters.

Mr. Hall (Great Britain).—Mr. President, I think the learned Delegate from Germany has misunderstood what I wished to hint to him, viz., that sea-going vessels would include a vessel bound from any port to sea or bound inward from the sea. The moment she is bound outward or the moment she is on the sea and bound inward, she would be a sea-going vessel, and she would be bound by the Rules of the Sea, unless there are local Rules which are at variance with them. In that case she would be governed by local Rules as soon as she came within the scope of their operation. A vessel would be a sea-going vessel if she were bound out to the sea or if she were coming in from the sea.

Dr. Sieveking (Germany).—Mr. President, if that is the meaning of "sea-going vessels," all vessels which are bound from port to port, which have to cross the sea, are sea-going vessels; whether they go out of the port or come into it, they are sea-going vessels. Then, if the words "sea-going steamers" are taken in this sense, and the word "sea-going" is inserted, there would be no Rules for the small craft or for the inland-water vessels—inland-water steamers which ply on the rivers only—unless there was local legislation. Now, a vessel coming from the ocean and proceeding up a river, if the German Rules or the Swedish Rules are in force, would know that all steamers, whether they are sea-going in this sense or not, are subject to these Rules, unless there are local Rules to the contrary. That, so far as I see, would give greater certainty and greater safety, for it would establish as a general rule that all steamers which may be sea-going steamers on their way to port are subject to these Rules; and would make it an exception only if the local authorities thought it necessary on account

of the peculiar circumstances of the territorial waters. It is my impression that it would be very proper to strike out the word "sea-going," so that as a general rule all steam-ships carry these lights; and then to leave it as it is in Article 25, for the local authorities to provide for exceptions.

Captain Lanneluc (France) thereupon addressed the Conference in French, which was not reported.

Captain Van Steyn (the Netherlands).—Mr. President, I quite agree with the reasons mentioned by former speakers about the word "sea-going," and suggest other alterations to be made. No definite place has been assigned for the side-lights, and as on board of sailing-vessels those lights ought to be placed in such a way that they cannot be intercepted by the sails or boats (that is to say, in front of the foremast), every vessel, whether a steamer or a sailing-vessel, ought to have the side-lights carried there.

In regard to the visibility, I would point out the fact that at the time the greatest speed of a vessel did not exceed 12 knots, a visibility of 2 miles was deemed sufficient; now that steamers are going at a rate of 20 knots, a side-light ought to be seen at least 3 miles.

Captain Salvesen (Norway).—Mr. President, I would like to move, if it is in order, to strike out the word "sea-going."

Mr. Flood (Norway).—Mr. President, before going any further with this discussion, allow me to suggest that possibly there should be some interpreter here who would give us a brief résumé of what was said in French in regard to this matter. I am sorry to say that I am unable to follow the honourable Delegate from France, who has just delivered, no doubt, a very interesting speech, and if there was an interpreter here who would give us a résumé of that, it would be a great advantage to us who do not speak the language.

The President.—There will be a French stenographer here to-morrow, who will also be an interpreter, and he will interpret any remarks which may be made in French into English, or English into French.

Mr. Flood (Norway).—Mr. President, I refer especially to the French language.

The President.—After to-day I hope we will be able to interpret everything which is said in the French language. To-day it is difficult, because our interpreter has not yet arrived. He was expected here this morning, but he missed his train, and therefore we are in the present difficulty.

Mr. Hall (Great Britain).—Mr. President, I understand that a proposal has been made with regard to leaving out the word "sea-going." I understand that this proposition will be printed, with all of the proposed amendments which will be presented to us, and will come to a determination, to-morrow being Friday, on Monday morning, so that I shall have time to consider it.

The President.—I understand that that proposition is laid on the table, to be ready for further consideration. The Conference is not prepared to consider the subject at the present time.

Mr. Hall (Great Britain).—Mr. President, I understood that that was so. Perhaps I shall be in order in giving notice of an addition which I propose, on behalf of my colleagues and myself, to submit to the Conference in regard to subsection (*a*) of Article 3. It is this:—

"A ship without a foremast shall carry this light in the fore part of the ship, at a height above the hull not less than the breadth of the ship, except in a ship the breadth of which exceeds 40 feet, in which case the light need not be carried at a greater height above the hull than 40 feet."

Now, perhaps I had better state the object of this to the Conference. It is to meet the case of modern men-of-war and other vessels which are being built now, in many cases, without any foremast at all; and in some cases these vessels are being built of a breadth considerably exceeding 40 feet. These vessels would have to erect a mast sometimes 60 or 70 feet high in order to comply with the requirements of the existing Rule, which says that the masthead-light, if the breadth of the ship exceeds 20 feet, should be at a height above the hull not less than such breadth. But we think that 40 feet is high enough for the foremasthead-light for any vessel, and that in the case of a vessel like a man-of-war it is not necessary to place upon her the onus of having to build a mast as high as her own breadth. We think that if she puts up a mast 40 feet high and exhibits such a light that will be sufficient. It is only to meet the requirements of the modern construction of vessels. I beg to give notice of this, which, of course, will be printed with the other amendments.

The President.—It will be printed with the other amendments and submitted at some future time.

Article 3 is still under consideration.

Captain Mensing (Germany).—Mr. President, I would like to mention that the German Delegates are all of the opinion that the proposition made by Captain Van Steyn is one of which we heartily approve. We believe that something should be done to better show the course of ships, and we believe that it is necessary to do it, if it can be done, in a simple and efficient way. We intend bringing here a proposition, and moving that it be adopted by this Conference, that the side-lights of the ship shall not be altered in their colour or in any other way, except, perhaps, to make a better standard from that which is adopted now in the way of candle-power of the light.

You are fully aware that I may now place my side-light either near the bow or very near the stern. We think this is wrong, and that it might be remedied so that the position of the side-light and the position of the white masthead-light of the steamer should give an indication of the course. We believe it would be best to place the side-light further aft than the top-light of the vessel; that is to say, that the line which connects the side-light with the point perpendicular to the top-light should form with the line of the keel an angle of less than 90 degrees. I am not in a position to make any definite proposals now, because it has been impossible to frame them in such a manner that we could bring them to the notice of this Conference; but I hope we shall be able to do so. I beg leave to offer this and to have it printed. To save time I think that we might bring in a proposition agreeing with the idea expressed by Captain Van Steyn, in regard to fixing the unit for the power of the light. We have had our experiments made in Germany, whereby we have found that the very worst lights

we could possibly buy anywhere could be seen on a dark clear night 5½ kilom. We all know from experience that these lights now are very often not strong enough to be seen at a distance of 2 miles. I think that altogether it would be the better mode of proceeding to refer this power to some standard that is used all over the world. I am not in a position now to make any definite proposal. I only hope that you will permit us to make a proposition and hand it to you to-morrow.

Captain Sampson (United States).—Mr. President, I think it would probably facilitate our work if the members of each Delegation should submit to the Secretary in writing any propositions for altering or modifying the present Rules of the Road, so that we could have them for our consideration at the earliest possible time. We are now all assembled here for the first time without being acquainted with each other, or with the propositions which are to be brought forward. Of course, they come to many of us as entirely new; and they may be entirely unexpected. If these propositions could be printed and laid before the Conference at once, I think it would facilitate our work very much, and give us an opportunity of making up our minds and enabling us to express an opinion on these different subjects whenever they are brought up. I therefore make the motion, Mr. President, that any Delegate is at liberty to submit to be printed any proposition which he may have to make, looking to the modification or change of the present Rules of the Road.

Mr. Hall (Great Britain).—Mr. President, with regard to the proposition contained in the Resolution moved by Captain Sampson, I may say that we are thoroughly in accord with it. I think it is very desirable that we should all know as soon as possible what suggestions will be made and can be made by the united assistance of the Delegates who have considered these questions. It will certainly assist us all if we can see not only the suggestions of individual Delegations, but if we can see them side by side and compare them, and then arrive at determinations in our own mind as to whether or not we think we ought to vote in their favour. Speaking for my brother colleagues and myself, I shall be very pleased at the earliest possible moment to give the Conference the whole of the suggestions which we think are worthy of discussion. We will hand them in, and we shall hope to see them side by side with the proposals of other Delegates. I only want to state this, that in handing in these proposals we do not bind ourselves to vote for them wholly or in part. We make the proposals in consequence of very careful discussion which we have had in Great Britain. I may say that we have had a very strong Committee sitting for a very considerable time, in which we have gone very carefully through these Rules, and we have thought it right to embody the suggestions made to us, and which we think worthy of consideration. We will present them to the members of the Conference, so that the members can discuss them and see whether or not they see fit to adopt them either wholly or in part.

The President.—As that is rather an important Resolution, will you be kind enough to reduce it to writing so that the Conference may understand it thoroughly?

Mr. Verney (Siam).—Mr. President, I presume, Sir, that this does not exclude other Resolutions which may arise subsequently?

The President.—No, Sir; it is simply to bring the matter before the Conference?

Mr. Hall (Great Britain).—Mr. President, perhaps before Lieutenant Cottman reads the Resolution, I may say that in order to assist the members of the Conference in their deliberations, we have had prepared in Great Britain the old Rules, or rather the present Rules side by side with the Rules, with such additions thereto as we think worthy of discussion. I have given instructions that there should be copies provided, which we will present to the various Delegations, because it will save them infinite time and trouble in collating the results. I will take care that they shall be distributed at as early a moment as possible. We have only a few at present, but will take care that others shall be printed and distributed as soon as possible.

Mr. Goodrich (United States).—Mr. President, following the line of Delegate Hall's statement, that while the propositions may be presented by the English Delegates, they do not bind themselves to urge them or vote for them, I present also another proposition, as to the propriety of which I am not altogether clear. Of course, the gentlemen present must know that Delegate Hall and myself are mere theoretical sailors. We have gathered what knowledge, or at least I have gathered what knowledge I have on the subject, from investigation, after collisions, in the Courts. There is a Rule, however, which is in force on the inland waters of the United States; I have not the text of it here. But I give notice, now, for the purpose of having it printed—a proposition to add an additional white light on a moving steam-vessel in the night, a range-light; for instance, a light farther forward than the foremasthead-light. I believe the rule is at an angle 55 degrees, and the same distance below the foremast light; so that, as a steam-vessel alters her course, the after-light opens and forms a range. I believe it is a fact that the angle between the vertical lines in the said light and the line of the after range-light, as it opens, coincides with the angle of the vessel's altered course. I will give notice of that proposition, so that it may be printed for discussion.

The President.—The Resolution offered by Captain Sampson, Delegate from the United States, will now be read by the Secretary.

The Resolution was read by the Secretary, as follows:—

"*Resolved*,—That the members of the Conference are invited to submit to the Secretary any suggestions which they may desire to bring before the Conference bearing upon the subject now under discussion—the Rules of the Road. The suggestions to be printed for the information of the Delegates."

The Resolution was put by the President, and unanimously adopted.

The President.—I wish to state that a great many propositions have been presented to the American Delegates, which are too numerous to be distributed, and many of them are too voluminous to be printed and laid on the table for the Delegates. They will be produced here and be read, if necessary, to the Delegates before consideration. It would be the making of volumes to have them all printed, and I do not think it would be at all necessary.

Mr. Goodrich (United States).—Mr. President, right in the line of your thoughts I will offer the following Resolution :—

"*Resolved*,—That the Chair appoint two Committees, to consist of seven Delegates, to be known as the Committee on Lights and the Committee on Sound-Signals, whose present duty it shall be to examine and report to the Conference the literature on these two subjects which is in the possession of the Conference."

The President.—That seems to be the only way of bringing the subject properly before the Conference.

Mr. Hall (Great Britain).—Mr. President, upon that Resolution I will make one observation. These Committees will be able to spare us labour in that they will only present to the Conference such part of the literary productions as they may deem proper, and spare us the labour of examining the whole of the productions which I know have come in a deluge upon the Conference.

The President.—The Chair considers that the spirit of the Resolution is that the Committees digest all of the literature that comes before them, and submit such as in their opinion is important. The Secretary will please read the Resolution.

The Resolution is as follows :—

"*Resolved*,—That the Chair appoint two Committees, each consisting of seven Delegates, to be known as Committee on Lights and Committee on Sound-Signals, whose first duty it shall be to examine and report to the Conference the literature on these two subjects which is in the possession of the Conference."

The Resolution was carried by the Conference.

The President.—There would seem to be no further business to be transacted until these Committees are appointed.

Mr. Hall (Great Britain).—Mr. President, might I venture to make one suggestion with regard to the course of business on Monday, and that is that the amendments, notices of which been handed in, should be taken up in the order in which they bear upon the Rules? I think it will save time if we do so, and it will be more in order if the Secretary will please put them in the order in which they come. Then we shall not have to hark back, if I may say so, from one amendment to another.

The President.—The Chair is of opinion that the Resolution just passed was intended to relieve the Conference of the present discussion of these subjects.

Mr. Goodrich (United States).—Mr. President, perhaps I have not made myself understood in the Resolution, which I drew somewhat hastily. I did not intend by the Resolution to convey the idea that that was to stop discussion upon the subject. It was only that such a Committee might examine all the literature which is in the possession of the Conference, including the Reports of the United States' Government upon various subjects, which I think the Chair requested to have examined during the interval of our sessions, and which are here. But I do not see why that should preclude us from going into the discussion of the Rules.

The President.—It occurred to me that it would be doing double work.

Mr. Goodrich (United States).—Mr. President, it may be that I am entirely in the wrong, but my intention was to have the Committees examine the literature alone, and not formulate any propositions upon it.

The President.—The Chair understood that they were to digest it and produce the best results they could. Otherwise they would have to present each case to the Conference, which would make its work interminable. Will Mr. Hall be kind enough to put his proposition in writing, with reference to the proceedings on Monday?

Mr. Hall (Great Britain).—Mr. President, I did not intend to put a motion, or to suggest any particular day. It was more with regard to the conduct of the proceedings, and with the idea that it would be more convenient if the amendments, which are not all of them consecutive, could be so placed on the paper in consecutive order that we could take them up in order. I do not propose for one moment to suggest to you any particular day when they should be taken up. Of course I leave that in your hands. Mr. President, I moved that when they came up they would come up in the order in which they would naturally apply to the Rules.

The President.—Pending any further business, I am requested to ask the Delegates to be kind enough to leave their cards at the door with their addresses on them. It will save the Secretary a good deal of trouble.

Mr. Goodrich (United States).—Mr. President, I do not know whether any other member of the Conference has any further suggestion to make about Article 3. The work thus far has been of very great importance, and I venture to suggest that it might be a good plan for the Secretary to read the next Article, so that the same suggestions, or similar ones already offered in regard to Article 3, may be thrown out in regard to Article 4. It is very evident that if we carefully discuss to-morrow and Monday the provisions of Article 3, we shall have our day well occupied. Then, if the suggestions about Articles 4, 5, and 6 can be made, we can have them a little in advance, and among ourselves be prepared to consider them.

The President.—If there be no further suggestion in regard to Article 3, the Secretary will please read Article 4.

Article 4 is as follows :—

"Article 4. A steam-ship when towing another ship shall, in addition to her side-lights, carry two bright lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and

shall be carried in the same position, as the white light which other steam-ships are required to carry.

Mr. Hall (Great Britain).—Mr. President, I have an amendment to suggest with regard to Article 4, and that is in the fourth line of Article 4, or perhaps we have not all copies printed in the same way; it will be better to follow the copy which is issued by your Treasury Department. In the third line, to substitute the word "six" for the word "three." We have thought, on the whole, after hearing opinions on the point, that it made a better distinction to have them 6 feet apart than 3 feet apart. I may say that this 6 feet has been adopted elsewhere, and we thought it might be less complicated to adopt, where we could, the same distances.

The President.—It is proposed by the Delegate from Great Britain to substitute for the word "three," in line three of Article 4, the word "six."

Mr. Goodrich (United States).—Mr. President, I do not know whether this position is practicable, but I know that some dispute has arisen on the subject, and it has been under consideration by the Courts of New York, and I have suggested an amendment to add apt words to define the position on the vessel of the two vertical lights. There was a discussion some years ago (I cannot recall the case at the moment) as to whether these two vertical lights on a towing-vessel should be on the after-flagstaff——

At the suggestion of my friend, I will withdraw that proposition for the present.

Captain Van Steyn (the Netherlands).—Mr. President, I want to support the proposition made by the learned Delegate from Great Britain to change the word "three" to the word "six." But it may be that there is not to be found on every vessel a distance of 6 feet. I think that it should be worded in this way: "If possible, not less than 6 feet."

The President.—Mr. Hall, do you accept that amendment?

Mr. Hall (Great Britain).—Yes, Sir.

Dr. Sieveking (Germany).—Mr. President, I think there is an omission in the Rule. There is nothing said about a sailing-ship when towing another vessel. That may be a very rare occurrence, but still it occurs, and it should be considered whether certain lights should not be prescribed for sailing-vessels when towing. Sailing-vessels, in case they tow other ships, are in a peculiar situation, because their manœuvring is more difficult than the manœuvring of steam-vessels. Perhaps it might be worth while to consider whether Rules should not be prescribed, together with the Rule saying that all vessels are to keep out of the way of sailing-vessels which are towing other vessels. I only mention it to call the attention of the Conference to it, because perhaps we may have an opportunity of calling their attention to it in the shape of a motion.

Mr. Goodrich (United States).—Mr. President, after consultation with some of my colleagues, I will give notice of this amendment, to add "apt words to define more carefully the position on the vessel of the two vertical lights."

The President.—The Secretary had better read the amendment.

Mr. Goodrich (United States).—Mr. President, perhaps I had better read it, as it is in the lawyer's handwriting. In Article 4 (*d*), "Apt words to define more carefully the position on a vessel of the two vertical lights." I will call attention to the suggestion I am making. When I first suggested it I referred, as I said before, to the fact that what we called tug-boats in the harbour of New York, which is navigable water, carry, when towing, on the flagstaff, two vertical lights. That has been the subject of judicial inquiry in the Courts of New York. This Article 4 provides for a steam-ship at sea, evidently, from the language of the Act, which is, "A steam-ship, when towing another ship, shall, in addition to the side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships: each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white lights which other steam-ships are required to carry." The same position would prevent their being just aft, in a vertical line.

Mr. Hall (Great Britain).—Mr. President, let me point this out to the Delegates of the United States in defence of our phraseology. The position of the masthead-light is at a height of not less than 20 feet, and if these two lights are both not less than 20 feet, they are in the position, which is the sole position, defined in Article 3, subsection (*a*). They both comply with subsection (*a*), Article 3, if they are both 20 feet; but so long as the lower one is not less than 20 feet, the one above it can not be less than 20 feet.

Mr. Goodrich (United States).—Mr. President, it would not be in the same position.

The President.—If there be no further suggestion upon Article 4 the Conference will proceed to the consideration of Article 5.

Mr. Goodrich (United States).—Mr. President, two or three gentlemen in my immediate vicinity suggest that we have enough to keep our thoughts occupied, at least until to-morrow morning. I notice that Article 5 is very long, and the subjects are somewhat different from those we have been considering. If there is no further business before the Conference I am going to make a motion to adjourn, unless some gentleman has something which he desires to say.

I move that the Conference adjourn.

The Conference therefore adjourned until Friday, at 10 o'clock A.M.

Washington, Friday, October 18, 1889, 10 *o'clock* A.M.

THE Conference was called to order at 10 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The Chair desires to state that the Protocol, although ready, has not been revised by the Secretary, and the Secretary would prefer not having it read until Monday, if there be no objection.

Mr. Hall (Great Britain).—Mr. President, perhaps you will allow me to state, for the convenience of the Delegates, Mr. Spring Rice will give printed copies of the suggestions that we shall have the honour to make to the Conference. I regret very much that at present we have not enough copies to give one to each Delegate. We will hand one copy to each Delegation. Then perhaps they may think it desirable that we should have some copies printed for the use of individual members.

Mr. Goodrich (United States).—Mr. President, in that connection I move that the Secretary have printed extra copies of the suggestions handed in by the English Delegates. I do not think it is quite proper that they should bear the expense of printing documents for the use of the Conference. How many do you think, Mr. Hall, would be desirable?

Mr. Hall (Great Britain).—Mr. President, I think that we have about five and twenty copies at present. I think if there were fifty copies printed that would provide a copy for each Delegate.

Mr. Goodrich (United States).—Mr. President, I move, then, that the Secretary be instructed to print 200 copies of these propositions.

The President.—If there be no objection that will be done.

Mr. Goodrich (United States).—Mr. President, before we resume the regular order of business, I have a motion to make for a Committee. I asked the Conference yesterday to pass a Resolution for the printing of the Rules of the Road, as adopted by Great Britain, with a Memorandum showing the changes made by the United States. That is a task which must be very carefully done, and the papers which I supposed were in possession of the Conference do not exactly meet the necessity of the case. I move, therefore, that a Committee of three be appointed for the purpose of conducting that work; and I should say that, as I am going to leave the City this afternoon, and this work will need to be done to-day or this evening, I should be very much obliged if the Chairman would not name me as a member of this Committee.

The President.—Mr. Goodrich will be kind enough to write out the Resolution.

Mr. Goodrich (United States).—Mr. President, I will draw the Resolution; that will be better.

Mr. Hall (Great Britain).—Mr. President, perhaps you will permit me to say that in the copies which are now to be handed out there are a few verbal inaccuracies which I will see afterward, before the proof is handed in to the printer for the first copy, shall be corrected. The Delegations may like to have such materials as we have, although it is not absolutely correct in every word. Then they will know what propositions we intend to make, with one or two slight verbal alterations.

The Secretary then read the motion of Delegate Goodrich, as follows:—

"That a Committee of three be appointed to prepare the material for printing the International Rules of the Road as ordered on Thursday, the 17th, together with any other Memoranda of changes in the law of other Powers than the United States."

Mr. Goodrich (United States).—Mr. President, the object of that last clause is that if the Delegation from any other nation than Great Britain or the United States should desire to set out in the Memorandum at the foot of each Article the changes in their own law from what we have made the basis of a common comparison, that is, the English Statutes, they can hand them to the Committee during the day. That will facilitate matters very much.

The motion was put to the Conference, and carried.

The President.—When the Conference adjourned last evening, we reached Article 5 in the general discussion of the Rules of the Road. The Chair is ready to hear any suggestions in regard to Article 5.

Mr. Hall (Great Britain).—Mr. President, I have an amendment to propose to Article 5, subsection (*a*), and that is that the number of red lights to be carried by vessels at night should be two red lights instead of three, and that the distances which they are to be apart should be not less than 6 feet instead of 3 feet, and that by daytime they shall carry two black balls instead of three black balls, and that they should be 6 feet apart instead of 3 feet apart.

The President.—If I understand correctly, the Delegate from Great Britain desires that that shall be printed as presented.

Mr. Hall (Great Britain).—Mr. President, I may say that all of the suggestions which I shall have the honour to make will be printed, and that will assist the Secretary in arriving at the amendments which are proposed by my colleagues and myself.

Captain Malmberg (Sweden).—Mr. President, I suggest that in subdivision (*b*) of Article 5, which reads now: "A ship, whether a steam-ship or sailing-ship, employed in laying or in picking up a telegraph cable," there should be inserted here, "or occupied by hydrographical researches, such as sounding, dredging, &c., shall at night carry the same lights which are mentioned in that paragraph."

The reason for my suggestion is that I have had some experience, perhaps a great deal of experience, in surveying out at sea, and there was many a time, especially at night, when my ship was on the point of being run down because I had no signals to indicate that the ship was not under command. You will say that subdivision (*a*) of Article 5 covers this point; but that is not quite exact, because, although a ship surveying or taking soundings or dredging, at the moment of operation is not under command, you may, in case of impending danger, get your engines started or make sail on the ship. I think it is quite appropriate to hoist a signal to show that the ship is not under command, and that is the reason I wish to have this addition made to subdivision (*b*).

The President.—The Secretary will please read this amendment.

The Secretary thereupon read the amendment as follows:—

"Article 5. (*b.*) A ship . . . . picking up a telegraph cable, or occupied with hydrographical researches, such as sounding, dredging, &c., shall at night carry . . . ."

The President.—The amendment will be printed for the consideration of the Conference.

Captain Malmberg (Sweden).—Mr. President, there is another thing in this paragraph, Article 5, which comes into my mind just now. There is, in these Regulations, nothing at all said about what lanterns a sailing-vessel is to carry when such a ship is towing. It says in Article 6 that "a sailing-ship under way or being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry." This says that a steamer under sail alone shall carry the same lanterns as a sailing-vessel which is being towed or under way. I do not think that quite appropriate, because a sailing-vessel under tow or a steamer under tow is not under command, and that is the reason why I would suggest that a ship under tow ought to carry the same signals as required in Article 5, subdivision (*a*). To me it seems rather strange that a vessel not under command, which a ship under tow is not, should carry lights of the same description as a sailing-vessel under command. With a vessel under tow, with a long tow-rope attached to her, on a dark night, there is nothing to tell you of that fact. You see a ship and a green lantern or a red lantern, but there is nothing to tell you that that ship is under tow if you do not see the masthead-light of the tow-boat; but you might come from an opposite quarter or from such a place that you are not able to see the masthead-light of the tow-boat or tug. You may only see the red light, and you may take it for a sail when it is a ship under tow.

Mr. Hall (Great Britain).—Mr. President, I cordially agree with the suggestions which have been thrown out by the gallant Delegate who has just addressed us, as to the desirability, if possible, of having some distinctive light which would show when a sailing-vessel is towing, and if possible, also a distinguishing light to show that the vessel is being towed; but I would venture to suggest that in order to come to a practical result upon that point, it will be necessary to give notice of the proposal as to what the light is to be. I may say this—this subject has not escaped our attention, but the difficulties that we have found have been to devise some signal which will answer the purpose and yet not be misleading. But if the gallant Delegate who has brought this very important matter to the notice of the Conference will endeavour to formulate some proposition with regard to a distinguishing light that shall be carried, we shall then be better able to discuss it than we are now in discussing the abstract question whether or not it is desirable for towing-vessels to show any distinctive lights.

Mr. Goodrich (United States).—Mr. President, my colleague, Captain Shackford, has already had that matter in charge, and has drafted a paper which I will submit presently. But, for the convenience of the Conference, I have a suggestion to make which, I think, if carried out, will save us a great deal of labour in examining the proposed amendment; and this suggestion is in accordance, as Captain Sampson informs me, with the practice of Congress with regard to amendments to the Statutes. I therefore move this Resolution:—

"That all proposed amendments to the Regulations submitted by members shall be presented in writing, containing the whole of the Article or subdivision to be amended, with the matter to be obliterated crossed out, and the amendment in italics, so that the members of the Conference can readily ascertain the new matter."

Mr. Hall (Great Britain).—Mr. President, I would move an amendment to that by inserting, after "in writing," the words "or in print," because we shall be in a position to hand them in in print.

Mr. Goodrich (United States).—I accept the amendment.

The President.—The Resolution will be read in French.

The Resolution was thereupon read to the Conference in French.

The Resolution was thereupon submitted to the Conference and was unanimously adopted.

Mr. Goodrich (United States).—Mr. President, my colleague, Captain Shackford, desires me to present a new thought to the Conference without embodying it in an amendment at present, and that is in connection with Article 5: that, instead of having threered lights in globular lanterns as at present, or two red lights as proposed, there should be three white lanterns; because we want to avoid as much as possible the expense of new equipments, and the three white lanterns, if you should continue to use three, are always useful on board the ship and are always at hand. This is a matter which Captain Shackford desires to have thrown out for the consideration of the Delegates, and he may possibly embody it in an amendment.

The President.—The Secretary informs me that he can get as many copies of these Rules as he wishes, so that it will save trouble in copying, according to the last Resolution, if you should cut out the portion you propose to amend and add the italics. It would take a great deal of time for each Delegate to copy off the separate Articles. The last Resolution provides that in each case when a proposition of such a kind is made the whole must be written out.

Mr. Hall (Great Britain).—Mr. President, I apprehend we shall be conforming to the spirit of that rule if we hand in our propositions in print?

The President.—Entirely so. It is merely to aid the Secretary in formulating his matter.

Mr. Hall (Great Britain).—Mr. President, I have a further amendment to propose under sub-section (*d*) of Article 5. I propose to insert these words in lieu of the last sentence. In subsection (*d*) the last section is: "The signals to be made by ships in distress and requiring assistance are contained in Article 27." We have thought it desirable to point out to seamen that these are not distress signals, and therefore we propose to add to subsection (*d*), in lieu of the words to which

I have just called attention, these words: "These signals are not signals of ships in distress requiring assistance. Such signals are contained in Article 31."

You will see, of course, that under the old Rule it would look rather as if these were signals of distress, by implication; but we want to make it perfectly clear to seamen that they are not distress signals, and that the distress signals will be found elsewhere in the Code.

Captain Van Steyn (the Netherlands).—Mr. President, we desire to lay before the Conference a proposition to omit the words, "each not less than 10 inches in diameter;" and to read, instead of "3 feet," "6 feet;" power to be indicated by candle-power.

As the power of a light does not depend on the size of the lantern, but on the source of the light placed within, provision should only be made regarding its visibility. This remark may also be applied to the following Article, where lanterns of a certain diameter are mentioned. The distance between the lights should be changed to 6 feet; as, according to experiments made by Professor Regnault, lights can only be distinguished as separate from a distance of 2 miles when they are 6 feet apart.

In regard to subsection (*c*), we think that the visibility of a light ought to be prescribed. We wish to lay before the Conference a proposition, whether it is not necessary to give a special signal to steamers under sail without steam and manageable by, say, a triangular shape in the foretop.

I will call attention to the fact that in the Dutch Regulations the visibility has been mentioned, and it has not been mentioned in the French nor in the English text.

The President.—The Chair would suggest that, according to the last Resolution, your amendment should be in writing.

Mr. Goodrich (United States).—Mr. President, if there are no other amendments in regard to Article 5, I have to make a suggestion on the part of my colleagues, going back to Article 4, which is a little out of order. Captain Shackford's proposition is to add, at the end of Article 4, these words in regard to towing ships:—

"A small white light abaft the funnel or after-mast shall be carried for the vessel being towed to steer by."

Captain Shackford (United States).—Mr. President, as a matter of fact, all sailors know that these lights are carried now by all steamers towing.

Mr. Goodrich (United States).—Mr. President, I am also asked to submit this proposition of Captain Norcross, one of my colleagues, as an addition to Article 4:—

"Steam-vessels, when towing other vessels, in addition to the masthead-light and range-light, shall carry an additional masthead-light; if towing more than one vessel, another light for each vessel shall be added, which lights shall not be placed less than 3 feet apart."

This is important, as tows are now made up half a mile long.

Mr. Verney (Siam).—Mr. President, I beg to propose that if the word "uniform" is maintained ultimately in the 3rd and 4th Articles, that a definition of that word be added to the end of the Article where it is used, so that all may understand what the meaning of that word is as it appears in the Article.

The President.—If there be no further suggestions in regard to Article 5 the Conference will proceed to the consideration of Article 6. The Chair will now hear any suggestions with reference to Article 6.

Mr. Hall (Great Britain).—Mr. President, I have a small verbal alteration to propose, and it is this: At the end of Article 6 members of the Conference will see the words, "with the exception of the white light." There is no definition of that white light, and to make it clear that it is the ordinary white light of a steam-ship we propose to insert that it is the white light mentioned in Article 3, subdivision (*a*), because it will be found that there are other white lights referred to in the Rules, which possibly might be mistaken for this. Therefore, to prevent there being any doubt about that, we propose to add, after the words "white light," the following: "mentioned in Article 3, subsection (*a*)."

Captain Salvesen (Norway).—Mr. President, in this Article a term is used which perhaps has a particularly clear and comprehensive meaning in the English language, but which when translated into other languages is very often not clear; and that is, the term "under way." I should think it very advisable, as all of these Articles and Rules have to be translated into all languages, that there should be an explanation of what "under way" is. According to one view a ship "under way" would mean a ship in motion with speed enough for steering, and yet that is evidently not right, because, if you stop your vessel, you have no motion and you have no speed, but still you are not to take in your side-lights. So, clearly, the term "under way" has another meaning. It would be perhaps advisable that it should be quite clear to all as to what the meaning of the term is. A sailor will know what it is; but when the case comes before a Law Court, the lawyers will perhaps not agree what "under way" is, and give it a different sense than intended. I think it is advisable that it should have an explanation at this time and at no other time. I do not think that any other assembly could give an explanation better than the present. The framers of the Rule ought to know best the meaning of the language and sense of the words employed.

Mr. Goodrich (United States).—Mr. President, in answer to the suggestion of Captain Salvesen, I may say that I have a recollection of the fact that the term "under way" has been the subject of decision by the Courts. I remember one case, although I cannot give the name of it, in which it was held that a vessel getting under way was under way as soon as her anchor was lifted from the bottom. In another case in which I was myself engaged it was held, under Article 12, subsection (*c*), which reads: "A steam-ship and a sailing-ship, when not under way, shall, at intervals of not more

than two minutes, ring the bell"—it was held that a sailing-vessel "hove-to" was not under way, and that she must ring the bell instead of obeying subdivision (*b*) and sounding the fog-horn, "one blast to show that she was on the starboard tack, and two blasts to show that she was on the port tack." There are two distinctions. I remember, as was remarked yesterday, that these Rules are for the guidance of sailors, as well as for construction by the Courts above. I think, with the gallant Delegate, that they should receive an interpretation here, just as the various terms received an interpretation and definition in the Merchant Shipping Act of 1854. I think it would be a very good idea to preface some of these Articles with a distinctive Article as to what certain nautical terms mean, and the construction which the Conference designs shall be put upon them.

Mr. Hall (Great Britain).—Mr. President, I may say that this question has also occupied the attention of our Courts of Law, and we have had the question as to the definition of "under way" discussed in a good many cases of late days. I find that one of our decisions is not quite in accordance with the decision of your Courts, because our decisions come to this: that a vessel which is not actually held fast by moorings or anchors or otherwise is under way. That decision agrees with the law which Delegate Goodrich has mentioned, that a vessel weighing anchor is under way as soon as the anchor leaves the ground. Most of the decisions are in conformity with one another. So, a vessel would be held to be "under way" if she were hove-to. She is "under way," and she is not entitled to ring the bell as if she were at anchor. But I quite agree as to the desirability, if possible, of using some term which will meet the requirements of all languages. "Under way" is a technical term which we use, and we understand it. I must confess that it has taken a good many decisions to make us understand it thoroughly. Of course, we shall be glad if any term can be adopted which will place the matter beyond all doubt and signify what we all mean; and that is, a vessel which is not fastened by moorings or anchors, or otherwise. I quite agree that it would be very desirable to use terms which can be translated into every language without any difficulty.

Dr. Sieveking (Germany).—Mr. President, the German Courts construe the term "under way" in the same way as Mr. Hall has stated the English Courts construe it. Therefore, there is some doubt as to the meaning of the term. I quite agree with what Mr. Hall has said, that it should be taken into consideration by the Conference.

Mr. Goodrich (United States).—I might say, Mr. President, that, believing in the soundness of the English Rules as stated by Delegate Hall, I made a great effort, citing the English cases, to make the Courts believe that the English Rule was correct, but I dismally failed in obtaining that construction. That is another reason suggested by Delegate Hall why it would be well to have a very succinct definition of the terms; and perhaps the learned Delegate used the very best words that could be used, that a vessel not actually fastened to the land is under way.

The President.—Does the Delegate from Norway propose that in the form of an amendment?

Captain Salvesen (Norway).—Mr. President, it was rather the expression of a wish to have certain words explained for the use of those who have to translate these Rules, but I will hand it in as an amendment.

Captain Sampson (United States).—Mr. President, I would suggest that, as these terms are well understood, as applied in this Article by all seafaring men, it probably would be better to give a definition of its meaning and retain the present words. No other words, probably, can be substituted that would so clearly express a ship's condition as the words "under way," because, as has been pointed out by several of the Delegates who have just spoken, a ship that is held fast, either by anchors or being moored to a wharf, or in any other way, would be the reverse of what is expressed by "under way." Therefore, if some proper definition is given to these words it would remove all ambiguity.

Mr. Flood (Norway).—Mr. President, I only want to suggest that instead of the words "under way," which have been discussed, that it might be well to use the words "having headway," or "sternway."

Mr. Hall (Great Britain).—Mr. President, I will point out that that would hardly bring in a vessel in a calm or a vessel drifting with the tide. I may say that the present words were used in our Rules after very great consideration, because we considered them as nautical terms to be understood by sailors, and it was thought desirable to use a technical term like that. But we think it is very difficult to get a short definition that is suitable. I should think very likely it might be possible to say, "a vessel not at anchor or made fast in any way."

Mr. Goodrich (United States).—Mr. President, will the learned Delegate let me interrupt him for a moment? I was drawing a Resolution for Captain Salvesen, and the thought at once occurred to me to use those words and even one more: "Under way in these Regulations shall refer to every vessel not actually anchored, moored, or made fast." Suppose she is being towed? She is made fast, unless you say that the whole tow is one body, and that the vessel is not made fast. We are going to have difficulty in any way in which we attempt to explain it, but I think it is well to have it printed.

Mr. Hall (Great Britain).—Before you hand that in, may I make another suggestion? There is a case which has been very much discussed, where a fishing-vessel gets fast to a rock. Then we would have to determine whether or not she was a vessel which ought to come within the explanation of a vessel not under way. So that we have got to provide, if we can, for every possible contingency, and it may be necessary to put something in the definition to meet such a case as that.

Mr. Verney (Siam).—Mr. President, I want to suggest that there is this difficulty in the case where a vessel drags her anchor, and a very difficult case it is. I do not think it has been met by what any of the Delegates have stated up to this time.

Mr. Goodrich (United States).—Mr. President, I may call the attention of Delegate Hall to Article 10, subdivision (*d*), which measurably meets the suggestion which he makes, although not entirely. It speaks of a vessel when fishing becoming stationary in consequence of her gear getting fast to a rock.

The President.—Is there any further discussion of Article 6?

Captain Van Steyn (the Netherlands).—Article 6 provides only for a sailing vessel being towed, and not for a steamer, and so, perhaps, a steamer may not know what lights to carry when she is being towed. Article 1 only provides for a steam-ship under sail and not under steam; but when a steamer is being towed she is not under sail, and she would not know which light to carry. In this case we propose to have this Article read:—

"A sailing-ship under way, or being towed, and a steam-ship being towed, not using steam, shall carry the same light"——

Mr. Hall (Great Britain).—Mr. President, that applies, of course, to the steam-vessel being towed which is not using her engine or steam at all.

Captain Van Steyn (the Netherlands).—Yes, Sir.

The President.—The Chair desires to announce the following Committee. The Secretary will please read the Resolution and the names of the members of the Committee.

The Secretary read as follows:—

"That a Committee of three be appointed to prepare the material for printing the International Rules of the Road, as ordered on Thursday, the 17th instant, together with any other memoranda of changes in the law of other Powers than the United States."

The Chair appoints the following:—

Dr. Sieveking, Delegate for Germany; Mr. Frederick William Verney, Delegate for Siam; Mr. P. Tsukahara, Delegate for Japan.

The President.—The Chair will take this occasion to state that the Committees ordered upon the subject of lights and of sound-signals will not be announced until Monday.

The Chair hears no further suggestions in regard to Article 6; the Conference will proceed to the consideration of Article 7. If it is desired that the Articles should be read as they are considered it will be done; but as each Delegate has them in print before him, it might save time to dispense with the reading; if there be no objection this will be done.

Article 7 is now before the Conference, but before proceeding to its consideration the Chair desires that Mr. Goodrich will explain fully what was intended by the proposition with reference to the changing or amending of Articles, so that there may be a distinct understanding about the manner in which they are to be presented to the Secretary.

Mr. Goodrich (United States).—Mr. President, in pursuance of what the Chair suggests, and rather for the benefit of those who do not thoroughly understand English, I will make these suggestions, which the interpreter will put in French later. It is desirable that each one of the Delegates shall have before him the proposed change in the Rule, in such form that he may see at a glance what it is. If, for instance, I propose to amend Article 1, and say strike out the first line, "sailing-ship," and insert "steam-ship," every one is put to the trouble of comparing my amendment with the original Article, and the more numerous the amendments the greater the difficulty. Whereas if they have before them a paper wherein every obliterated word shall have a line drawn through it, the obliteration still leaving the words under it clear and readable, the same paper showing every new word or new sentence to be inserted printed in italics or written in italics, we shall have the old law Regulations before us as well as the proposed changes, so that we can instantly compare the old with the new. I do not know that I can make myself clear. For instance, the British programme, measurably, has done the same thing, but they have printed the old Articles side by side with the new. It may be that this may be deemed the best way. But still I think that the proposed method becomes even clearer than when you put in the old Article side by side with the new one. The Secretary suggests that he will furnish to any member who desires to make an amendment a copy of these printed Treasury Regulations which contain the old Articles, and any member can cut out the Article which he proposes to amend, draw his pen lightly through the words he proposes to obliterate, and add in the margin the words which he desires to add to the Article, so that after all it will not be a very great labour for every Delegate to prepare and submit in writing or print that which he desires to present to the Conference.

The foregoing remarks of Mr. Goodrich were translated into French and read to the Conference in French.

Mr. Flood (Norway).—Mr. President, in reading through Article 7, I have stumbled over the expression that these lights shall be kept on deck on the respective sides of the vessel. I think that if the weather is such that these small vessels cannot keep their lights up in the rigging, practically, it would be almost impossible to keep them on deck, actually on deck, according to the letter of this Article. I think that there may be occasions when it will be absolutely necessary to keep them down in the companion-way or in the cabin somewhere, as a protection. I was going to inquire how that would be in case of a collision, when, in the course of the investigatson, the question would be: Had you, according to law, your lanterns lighted and on deck? And you would have to say, No, we had them in the companion-way under the deck. If it could be possible for any expression to be used there that would cover this point, I think it would be advisable. For instance, it might be expressed, "to be kept in a convenient place, if practicable on deck," or something to that effect.

Mr Hall (Great Britain).—Mr. President, perhaps the Delegate from Norway will allow me to make a suggestion? I cordially agree with the difficulties which he has pointed out, and would suggest whether or not it would be, perhaps, desirable to use the phrase, "to have at hand ready for use."

Mr. Flood (Norway).—Mr. President, my only object is to get that "on deck" out and not leave any legal question.

Captain Shackford (United States).—Mr. President, I have a word to say on this Article. It appears to me that no vessel should be under way between dark and daylight without any light of any

kind, except one of such a character as is described in the Rules, which is dependent entirely upon the vigilance or sleeplessness of one man aboard. I think all vessels at sea, at night, should carry a light of some sort under all circumstances. The same remark applies also to Article 10.

Captain Salvesen (Norway).—Mr. President, we have some small craft in Norway which do not come under this Article. They are mentioned in Article 9. We legally adopted the provision for carrying a top-lantern during the night; but it was shown that it was quite impossible for them to carry it. Our pilot-boats go alongside of the ship in their own boats, and the sea is often so high that it is impossible for any boat of that size to carry a lantern. So we were obliged to order, last year, that they had only to show, and not carry, a white lantern to approaching vessels. Perhaps, now, under this Article 7, it would be appropriate to include the lanterns used by small vessels which are required to be shown to other vessels, according to the Regulations. The smaller vessels should not be required to carry them, because it is quite impossible for them to do so. This is, at present, only a suggestion which I take the liberty of making.

The President.—The Chair desires to state that all suggestions from Delegates should be in the form of amendments, so that they could be printed and placed before them at some future time. Remarks and suggestions without being in the form of amendments will appear in the Protocol, but will not appear for future consideration. Therefore, all suggestions should be put in the form of amendments to the Regulations.

If there are no further suggestions or amendments to Article 7, the Conference will proceed.

Captain Shackford (United States).—Mr. President, I want to call the attention of the Conference to the fact that when this Article is called up finally I will propose that it shall be abolished.

Captain Bisbee (China).—Mr. President, I beg leave to suggest for consideration whether it is not necessary and advisable that Article 7 be altered so as to provide that coloured lights, when exhibited under all conditions provided for, shall not be shown further abaft the beam on either side than the Rule provides for. The Rule provides for two points abaft the beam, but there is nothing in the Rule at the present time to prevent a man from presenting his light so that it shall be seen even in line directly astern.

The President.—Will you be kind enough to put that in the form of an amendment?

Captain Shackford (United States).—Mr. President, I wish to move now that the entire Article 7 be abolished.

Captain Malmberg (Sweden).—Mr. President, I beg to second that motion.

The President.—This is a motion to strike out the entire Article.

Captain Malmberg (Sweden).—Mr. President, the reason why I wish to second that motion is that, in my opinion, Article 10 can be made to cover Article 7. The reason why I say so is that Article 10 provides for "boats," and there are very few craft other than boats on which the side-lights cannot be fixed. That is the reason why, in my opinion, Article 7 might be eliminated.

Mr. Goodrich (United States).—Mr. President, I think Delegate Hall has something to suggest on the subject of small vessels—like small steam-vessels—being required to carry the ordinary side-lanterns.

Mr. Hall (Great Britain).—Mr. President, I do not propose to make any alterations in regard to Article 7, dealing with small vessels. The object of Article 7 was that the small boats should have side-lights which they could show to approaching vessels, which they were not bound to carry, for the simple reason that it was difficult for them to carry them, and, if they did carry them, to keep them lighted. That, of course, only applies in bad weather. The members will see that Article 7 only applies to bad weather. They are not justified in not exhibiting side-lights in ordinary weather. It is only in bad weather when they cannot fix their side-lights, and keep them up, that they are excepted from doing that. But they are obliged to have them at hand to show on the approach of vessels.

Captain Shackford (United States).—Mr. President, I understand that thoroughly, but it seems to me that a vessel which cannot show lights ought not to be outside in the sea. She ought to be in a harbour. It seems to me that no vessel ought to be at sea and endanger her own safety and the safety of other vessels but what should have a light of some kind, not depending upon a man or boy and upon their vigilance and sleeplessness.

The President.—The Chair will take this occasion to announce that he has received a call from Captain Mead, the Commandant of the Navy Yard, and that he presents his compliments to the members of the International Marine Conference, and offers his services to them if he can be of any assistance or show them any attention. He also desires to state that he will be glad to show them anything at the Navy Yard in case they should desire to visit it.

Mr. Hall (Great Britain).—Mr. President, perhaps I should be but expressing the feelings of my brother Delegates if I move a Resolution thanking the gallant officer for the kind invitation which he has extended to us.

The President.—The Chair will be happy to communicate this to the officer.

A Resolution of thanks was thereupon adopted.

Captain Malmberg (Sweden).—Mr. President, while we are discussing this Article 7, there is something which strikes me as rather a hard question. Note the last sentence. It reads in this way:—

"To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain and shall be provided with proper screens."

Now, the screen is to be 3 feet. That is a proper screen. How are the lanterns to be provided with proper screens if they are to be portable, in a small vessel, and taken below? I do not see the possibility of doing it. That is the reason, also, why I want this Article taken away.

Mr. Goodrich (United States).—Mr. President, we might also add that there might be some difficulty at night to distinguish the colour of the painted board or painted lantern.

Mr. Hall (Great Britain).—Mr. President, I think I may say that in England we have found no practical difficulty, and that these vessels carry them and show them. We have had no difficulty, and the lamps are used habitually by vessels.

Captain Shackford (United States).—Mr. President, are not vessels frequently run down on account of having no lights?

Mr. Hall (Great Britain).—They ought to give notice of their whereabouts. If a vessel is injured it is her own carelessness, and she would be liable, according to our law, if she did not do it.

Captain Shackford (United States).—Mr. President, that is what I want to provide against—carelessness of the people on vessels.

The President.—If there be no other amendments or suggestions, the Conference will proceed with Article 8.

Mr. Flood (Norway).—Mr. President, I would like to propose that the heading of this Article 8 be made to read like this: "Lights for steam-vessels and sailing-vessels not under way," instead of "at anchor." The reason for this is that Article 8, in the first paragraph, says, "a ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry."

I think it would be advisable also to insert the following words: "or moored to a buoy." It is often the case that a vessel temporarily moored to a buoy is as much of an obstruction on a dark night as a vessel at anchor. It seems to me that it would be well if we should make provision for such a case in this Article. I have personally been in such circumstances, and take the liberty of mentioning it.

Mr. Hall (Great Britain).—Mr. President, I have an amendment to propose, and perhaps the members of the Conference will kindly allow me to preface it with the reason for which we propose it. We have found now that vessels are built of such an extreme length that it is frequently misleading to vessels approaching one of them at anchor, if they only see one riding-light on her. Accordingly, in a good many of our rivers, there are local Rules by which vessels are bound to carry two riding-lights when they are at anchor. We think, perhaps, that we should not put this duty upon small vessels upon which one light is amply sufficient, but that in all vessels, beyond a certain length, they should be bound not only to carry the riding-light, which is carried forward as at present, but that they should carry a second light aft at a different altitude, and at such a marked difference in altitude that any sailor approaching could see that it was two lights on board of one vessel and not one light on board of two different vessels. We think that, especially in reference to harbours and ports, it would be important to give this information to the officers of vessels under way. Therefore, I propose to amend Article 8 as follows: After the words "a ship," in the first line, insert "under 100 feet in length." If these words should be inserted it would make it necessary for vessels under 100 feet to carry only one riding-light. All ships of 100 feet or upwards in length, when at anchor, would be required to carry two such lights, as follows, that is to say:—

"In the forward part of the ship, and at a height of not less than 20 feet and not to exceed 40 feet from the hull, one such light, and at or near the stern of the ship, and at such a height that it shall not be less than 15 feet lower than the forward light, the other of such lights."

I propose to add also these words, which are not printed in the document which I have handed to the members of the Conference:—

"The length of the ship shall be the length appearing in her certificate of registry."

That would prevent any dispute as to how to measure the length of the vessel. We thought that was the simplest length to take, because that could be arrived at accurately without any difficulty.

Captain Shackford (United States).—Mr. President, I am very sorry, indeed, to differ from Mr. Hall. I should like to know how, in a ship 600 feet in length at anchor, it is possible to distinguish her from two vessels at anchor. How is it possible to distinguish a ship 600 feet long with two lights, one forward and one aft? Whether one is higher or lower than the other makes no difference—how is it possible to distinguish her from two vessels at anchor?

Mr. Hall (Great Britain).—Mr. President, I agree that it is impossible to say for a certainty; but if an officer knows that a long vessel shows two lights, one high and one low, if he is a man of ordinary prudence, he would say to himself: That probably is one vessel with two lights. If he does think it is two vessels, and attempts to go between them, he is guilty of negligence in not seeing his way clear, and in proceeding before he could find out whether it was one vessel or two vessels.

Captain Shackford (United States).—Mr. President, I think the Courts have also held that vessels at anchor with two lights are at fault.

Mr. Hall (Great Britain).—Mr. President, that is because at present a vessel is required to carry only one anchor-light and no others. It is in order to give warning to vessels approaching that she is a big vessel, and therefore, she has her second light up. It is to provide for this difficulty that we suggest the two lights. We know that officers very often, out of excessive caution, have been putting up a second light, and have been doing so contrary to the Rules.

Captain Shackford (United States).—Mr. President, I will read what I have written here. In my opinion the riding-light should be of such a character that immediately upon its being seen it could be determined, without hesitation, that it was on a vessel at anchor, and was not a steamer's masthead-light, a stern-light, or a light on shore, for any one of which the lights at present carried might be mistaken. A red and white light, one above the other, or one forward of the other, would be an improvement.

I would like to have the opinion of some of the other gentlemen on Article 8.

Mr. Goodrich (United States).—Mr. President, I am requested by Captain Norcross to suggest to the Conference this matter for their consideration. He suggests that there should be constructed on all sea-going vessels, regardless of their size, a tower between the cat-head and fore-rigging, accessible from in-board, the lantern to be a fixture in this tower, and the lamp placed in such a position that the light cannot shine across the bow. This would do away with the screens, which are often inoperative, the suggestion being that this tower, light in construction of course in a small vessel, would save the extinction of the lamps by the sea, and would follow out the suggestion of Captain Shackford that there would be no necessity to depend upon the vigilance or sleeplessness of a single person in charge of the deck. Of course it might possibly come quite as well in a division of the Programme in regard to the construction of vessels; and yet it is germane to the subject of Article 7 as to the fixing of lights aboard small vessels, instead of having to have lanterns with a screen, as is required by the Statutes.

Mr. Verbrugghe (Belgium).—Mr. President, if I understand aright, the propositions made at present are not to be discussed yet. They will be examined by the Committee, and we will have some chance to discuss them, if we have any amendments to make afterwards. Do I understand correctly?

The President.—The Committees will make their Reports on the subject, and that will give us additional information; but I understand it to be the general intention of the Conference that there shall be discussions of these Articles as they are presented.

Mr. Verbrugghe (Belgium).—Mr. President, I see by the amendment made by the learned Delegate from Great Britain that the length of the ship is given in feet. This Rule, of course, will be international. Now I believe there are as many sizes of feet as there are countries or even towns. It is a matter of importance that the length should be exactly determined. For this reason the explanation is given that the length of the ship shall be deemed to be the length appearing in her certificate of registry. In my country we are not allowed to count anything by feet. The metre is our rule, and any one found measuring by feet is liable to a fine. Very likely this may be the case in some other countries; for instance, in France. I will, by-and-by, call upon my French colleague to support my motion. I would suggest that this length and the other dimensions given in the Rule should be stated in metres. Everybody knows exactly the meaning of the word metre, whereas feet, as I have just said, may be different. Of course it is understood to be an English foot, but it will be rather puzzling for every one to bring this measure down to the English measure.

Mr. Goodrich (United States).—Mr. President, I suppose the time is coming when all the nations will say that we shall have a common standard for measures and for money. It suggests to each one of us that the millennium is approaching when Delegates from all nations, including the Oriental nations, meet in Conference in quite a modern city. The difficulty of the proposition of the gentleman is this, that it seems to me he wants to transfer from the shoulders of the nation who use the metre as a measure, to the shoulders of a nation who use the foot as a measure, the burden of finding out what the exact measurement is in our English feet. As I understand it, the English foot has a definite significance. It is 12 inches, and an inch is defined in a way that any one can understand. I started to quote it, but I cannot quote it, as I am not quite sure about it. Captain Simpson says that the yard is the standard fixed the world over. I should be very much opposed, very positively opposed, to a change from the use of the foot to the use of the metre. We are discussing these Rules as they were adopted by Great Britain, which took the lead in these matters, and whose lead in that respect we are quite willing to follow, and we have shown our willingness to bow to it when the United States adopted the International Rules as proposed by them without a Conference. I see, however, no practical difficulty in the matter of having the foot named as the unit of measure, because when Belgium, for instance, desires to pass a Statute for the adoption of the Report which we make, she can translate foot into metre by saying approximately that the length shall be 33 metres for 100 feet. I think there will be no practical difficulty in any nation changing that part of the Rule. I think that there should be no alterations in the general law.

Mr. Verbrugghe (Belgium).—Mr. President, I do not insist particularly about it. Of course it can be reduced. Mr. Goodrich made a very sensible remark in opposing my proposition. I thought that of all the nations represented here the majority would be found to employ the metre; but if that is not the case, of course I do not insist upon the proposition I made.

Captain Richard (France).—Mr. President, I wish to remark, on behalf of my country, that we consider that the dimensions should be given in metres. This metrical system is universal and well understood, and for that reason I propose that all the dimensions should be given in metres. There can thus be nothing equivocal about it.

Now, in this discussion an undue importance, in my opinion, has been attached to the question of signals at anchor; but you will see that this question of measurement, and how it should be determined, is a new question in England and in other places, and, if it were discarded, it might give rise to misunderstandings and losses. I propose, then, and I think you will second me in the proposition, that all measurements should be according to the metrical system.

Rear-Admiral Viel (Chile).—Mr. President, I want to say in this connection that, when the first Rules of the Sea were established, the French and English texts were adopted, side by side, by an agreement between Great Britain and France; and it was only according to that agreement that these Rules were given to the other nations of the world as Rules of Measurement.

But I desire to support the proposition made by the honourable Delegate from Belgium. The Spanish nations, or nations speaking the Spanish language, are now numerous, and there are a number of them now represented in this Conference. I want to know if it is not possible that we may adopt a translation of the metrical system? Since England and the other nations, some of them, have another system, I propose to have a translation of the metrical system made and adopted, in order that, as a system of measurement, it may be generally understood. It is in this way, and by a correct translation only, that it can be understood in Spanish; and I will submit to the Conference—although they spoke yesterday here of making the text of the law only in English and French—that

they should also make it in Spanish. And I propose to have this system of English measurement also translated into metrical measure, in order that it may be understood according to the metrical system in use in Spanish-speaking countries.

Captain Mensing (Germany).—Mr. President, I would like to ask, for my personal information, from the Delegates of England and America, whether in their own country the standard of metres, as a standard of lengths, is not one perfectly legal and received by law? According to my understanding the metre is a legal standard both in England and the United States, and can be used as such. I should not see any difficulty whatever in introducing in this Article the length given in metres, as I believe it would be understood all the world over.

Mr. Hall (Great Britain).—Mr. President, I think I should say that the measure of the metre is not, so far as I know, adopted by us in any form or way. I agree with the learned Delegate for the United States that there would be no possible difficulty in any nation which adopted these Rules giving the equivalent in their standard of 100 feet. We have occasion to know that every day in cases where German and French vessels are involved, where we have, of course, to introduce and interpret their documents, and of course where the word "metre" is used, we take the equivalent of it in feet, and so arrive at the length. I cannot see how there is any difficulty whatever in each nation, when it translates the Rules, giving an equivalent of 100 feet in length by their standard, which can be computed very easily, because, as the learned Delegate for the United States very properly stated, it is a perfectly fixed ratio and perfectly well known quantity.

Captain Van Steyn (the Netherlands).—Mr. President, the Dutch Delegation have been considering the case of a vessel at anchor, and we have a proposition to make:—

"A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry, where it can best be seen, at a height not exceeding 20 feet above the hull, a white light in a globular lantern of a candle-power to be visible 2 miles, if the length of the ship does not exceed 120 feet. A ship of above 120 feet to 240 feet in length shall carry the anchor-lights and stern-light at the same height, and above 240 feet, one light in the midships higher than the two other anchor-lights, forming a triangle with the other ones, and all of the same candle-power."

Mr. Flood (Norway).—Mr. President, may I ask that the interpreter be required to interpret for us what the Delegates have stated in French?

Thereupon the remarks made in French were interpreted to the Conference by the interpreter.

The President.—Are there further suggestions upon Article 8?

Captain Malmberg (Sweden).—Mr. President, there has been a good deal of mention about feet and metres. Now, these Regulations are to be printed, as decided yesterday, in English and French, and a proposal has been made to-day to have them printed also in Spanish. Thus we have in English the word "feet," and in French and Spanish we have "metres." I do not see that it can be arranged in any other way, because we cannot expect England and America and other countries using "feet" to adopt our metrical system. When these Articles are printed in our own different languages we will know exactly how to express in metres the English feet.

Mr. Verney (Siam).—Mr. President, I venture to suggest that if an Article be inserted in the Regulations—a definition—informing all who read it what relation the metre bears to the foot, we need not discuss this matter any further.

Captain Sampson (United States).—Mr. President, there seems to be only one slight difficulty in this whole matter, as has been pointed out by the different speakers. The relation existing between the foot and the metre is fixed and invariable. Now, as the gallant Delegate from Austria-Hungary has just pointed out to me, the practice in his country is to translate freely, or to convert the feet and inches, as the case may be, into metres, or decimetres, or centimetres, as the case may be. If it is distinctly understood, or can be embodied in these Rules in such a way that 100 feet shall or may be so translated that there will be no legal difficulty in the adoption of an approximate value in metres for the 100 feet, there will be no difficulty about it. The question ought not to be left to turn upon the small difference between 33 metres and 100 feet, which might decide a case one way or the other in case of a dispute about a collision. It seems to me that the whole difficulty has already been met by the countries which use the metre, by giving the nearest number of metres, &c., to the number of feet which are expressed in English Rules.

Mr. Verbrugghe (Belgium).—Mr. President, I am very glad to have provoked this discussion. If the length had been stated in feet the translation in some other countries would have been in feet as well. Now, it has been agreed so far that the exact value of this English foot shall be decided. That is the very thing we want.

Mr. Hall (Great Britain).—Mr. President, perhaps I might point out that, so far as I am aware, no difficulty has ever arisen as yet under the existing Rules of the Road as to the meaning of the word "feet." It is a word used throughout these Rules. The height at which the lights are to be carried is laid down in feet. But, so far as I am aware, there has never been any discussion whatever as to the relative value of feet and metres. I do not think any one has been misled at all by the use of the word which has been in use up to the present time, ever since the Rules were framed and drawn. You will find the word in subsections of Article 3, and all the way throughout the Rules.

The President.—Is the Conference ready for the next Article?

Mr. Hall (Great Britain).—Mr. President, I have an amendment to present to the Conference on the question of pilot-vessels. We have drawn it up, having in view the difficulties which often arise, especially to steam-vessels. Pilot-vessels looking for a job come up to steam-vessels, and frequently go about right under the very bow of the vessel, and the officers in charge of the steam-vessels are unable to see what the pilot-vessels are doing, and they are very often very much hampered. It is not only very dangerous to the pilot-vessels, but very dangerous to the other vessels also. We would propose what is contained in italics, and if the members of the Conference will allow me, I will read

the proposed change. It is not quite the same as what was printed, because in the original proposa the members will see that we propose that they should have one lantern with coloured glasses, which should be used. But, on further consideration, we have thought perhaps it is more desirable to have two lanterns. If there was only one lantern, a man, in the exigency of the moment, might, perhaps, flash the wrong light and and throw a green light when he wanted to throw a red light. We have thought that they should have two lanterns, like those small vessels are obliged to have. I proprose to insert before the words, "A pilot-vessel, when not engaged on her station on pilot duty, shall carry lights similar to those of other ships," this paragraph :—

"When approaching a ship to put a pilot on board ; a pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept on deck on their respective sides of the vessel ready for use, and shall flash one of them in sufficient time to prevent collision, so that the red light will only be shown on the port side, and the green light only on the starboard side."

Dr. Sieveking (Germany).—Mr. President, this Article 9 has, in practice, given rise to very serious and very delicate questions, and I hope, therefore, that I shall be excused for making a few remarks, which, perhaps, go a little more into the details of the matter than would be allowed under general discussion. I beg to say, before entering into the details, that what I intend to suggest rests entirely on the same principles as the amendment proposed by the learned Delegate from Great Britain, and it is only my intention to follow out a little further the idea which is suggested in the amendment.

It is quite clear that the situation of a pilot-vessel when on duty is a peculiar one, and must be distinguished from that of other vessels. First of all, pilot-vessels must be distinguishable. Ships approaching must know that this is a pilot-vessel. Then there may be different cases arising. A pilot-vessel, although on duty, may not be required, or she may be required, to approach another vessel. Even although not required to approach a vessel, she may intend to approach for several purposes, either to offer her services or to make some inquiry, as often happens, or to put a pilot on board and give him an opportunity of returning homeward, or some other purpose of the kind. This suffices to show that it is a complicated situation, and in order to meet, as far as possible, the contingencies, and insure as much as possible the safety of pilot-vessels and of vessels meeting them, this Article must be very carefully considered.

Now, the Rules as they are framed at present give to a pilot-vessel a top-light or masthead-light only, and a flare-up light to distinguish them from other vessels. This, so far as I am aware, is quite sufficient to distinguish pilot-vessels from other vessels, but it is not sufficient to enable other vessels to distinguish the course of pilot-vessels. I have been informed by a practical man that the flare-up light—of course, the masthead-light would never indicate the course—is such a dazzling light that it is very difficult to ascertain the course of a pilot-vessel by looking at the flare-up light only. They say that for this very reason, that it is a dazzling light, the people on board the pilot-vessel generally have them burned low, so that the masts and sails of the pilot-vessels are very much in the shadow of the darkness. Then they say that the shape of the rigging of pilot-vessels and the sails are very nearly the same when seen from one side or the other. Of course I would not give my judgment on that, because I am not a practical man. I only state what experienced and practical men have told me, that it is very difficult to ascertain the course of a pilot-vessel by the masthead-light and the flare-up light only. Now, as there are cases where the pilot-vessel, although on duty, does not at all intend to approach another vessel, and where she is not required to do so, it would be very advisable, I think, if this Rule could be amended so that the course of pilot-vessels would be better indicated than it is now. The reason, so far as I am aware, why pilot-vessels only carry a masthead-light is that they could not be distinguished from steamers if they carried side-lights. This is very true. But then, if another signal was introduced—but, of course, that must be left to the consideration of experienced nautical men—say, for instance, a pyrotechnic light, a red light, or a red and white light, which was to be shown at intervals to distinguish them as pilots, and, apart from this, they were allowed to carry the same lights as other vessels, then I think the advantage would be such that the course of pilot-vessels could be distinguished better than they can be now.

Pilot-vessels may be steam-vessels or they may be sailing-vessels ; but, although steam-vessels carry masthead- and side-lights, pilot-vessels, of course, could be distinguished by the pyrotechnic or other light. At present we have the pyrotechnic light, which they have to show at intervals not exceeding fifteen minutes, and perhaps that is rather too long an interval. Perhaps it would be better to have the pyrotechnic light shown at less intervals than that. I think that other vessels should be at once in a position to distinguish the course and to know the direction in which pilot-vessels are sailing.

Then there arises the difficulty that other vessels do not know whether the pilot-vessels are approaching them or intend approaching them or not, and that is the very thing which the amendment of the British Delegates intends to meet. Therefore I entirely agree with them, so far as the principle is concerned, only, perhaps, it could be simplified a little. It is suggested that, in order to point out their intention to another vessel, they should carry two lights—a red light and a green light. Would it not be sufficient to say that a pyrotechnic light, if it be shown by them in order to distinguish them as pilot-vessels, in case they approach another vessel (or intend to approach another vessel), must be shown at various shorter intervals, at from two to three minutes, and thus announce the fact that they are approaching? This would enable every vessel to know whether a pilot-vessel is approaching, and that is the very thing which has given rise to such complicated and dangerous situations. There have been cases where a pilot-vessel has approached another vessel, and the latter did not intend at all to have a pilot, nevertheless the pilot approached, as it is the custom of pilot-vessels to offer their services in order to earn money, or, as is often the case, to have an opportunity

of communicating with other vessels. It has happened, and it often happens, that although they are not required, still they approach other vessels. Then the difficulty arises. The other vessel does not know that it is the intention of the pilot to approach, and so endeavours to keep out of the way. Of course, if the pilot intends to approach a vessel, she must not keep out of the way, because that would make it impossible for the pilot to come near. Therefore, a signal must be given, it appears to me, to indicate that a pilot-vessel intends to approach, and I believe that in this way every difficulty could be satisfactorily met.

Pilot-vessels shall carry the same lights as other vessels, and be distinguishable by pyrotechnic lights. You could not use the flare-up lights, of course, because that would lead to confusion with the fishing-boats. Then, in case a pilot-vessel intends to approach a ship, a pilot must repeat this pyrotechnic light at very short intervals.

I am not able at present to offer an amendment, because my colleagues and myself have not had the time to frame one which is carefully worded; but it might be something like this:—

"Pilot-vessels when engaged on their station on pilotage duty shall carry the lights required for other vessels of the same class, and shall also, besides, exhibit a red and white light or a pyrotechnic light at short intervals not to exceed fifteen minutes, which shall be repeated at shorter intervals whenever intending to approach a ship."

Here, in the amendment proposed by the British Delegate, it is said: "When approaching a ship to put a pilot on board." I do not think there is any material difference between us about that. So, in following out the idea of the amendment presented by the British Delegates, I only want to suggest that, in order to better indicate the course of pilot-boats, they should be required to carry the lights that other vessels carry.

Mr. Verbrugghe (Belgium).—Mr. President, I am very sorry that I cannot support the proposition made by the learned German Delegate to oblige pilot-boats, in all cases, to have side-lights. The Rule, as it is constructed now, is quite plain: that when a pilot-boat is not engaged on pilot-duty, and not on her station, she is an ordinary boat and carries lights as an ordinary vessel; but when she is on her station and on duty, she is distinguished from other boats. It is for some good reason that a white masthead-light has been given to the pilot-boats; to extend to them the immunities attached to such white lights; and, as a fact, a pilot-boat in the act of getting her boat in or out, or towing her boat in a heavy sea, cannot get out of the way of another vessel. Now, if a vessel wants a pilot she goes to the pilot-boat station and makes the proper signal. That is the general rule. Then the pilot and manœuvres to the ship. For instance, if a steamer wants a pilot, she knows where to go and where to find one; and when she has got near the pilot-boat she stops, and the pilot-boat manœuvres to board her. If you would give the pilot-boat the two lights and the other lights, it is really too many lights—too difficult to distinguish. I repeat again, when she is not on her station, engaged in her pilot service, she is an ordinary boat. When she is on her station, her proper signal is to carry a white light at the masthead, and also to exhibit a flare-up light. This, I believe, is a far better distinction than to give her the lights of an ordinary boat.

Where I agree with the learned Delegate from Germany is, that some signals should be made to enable the pilot-boat to signal that he wishes to enter into communication with the ship. As Dr. Sieveking said, it is often the case that a pilot-boat wishes to hail a ship to put a pilot on board or make some communication, and the vessel, not wanting a pilot, keeps away from the pilot-boat. There should be some way by which a pilot-boat could indicate that she wishes to communicate with a vessel, and so far as that I would support the proposition.

Captain Mensing (Germany).—Mr. President, will you kindly permit me add a few explanations to the remarks made by my colleague? It is simply to explain a few little things, for I am sure I cannot add anything of material interest to what he has stated. The white light has one meaning in every place in these Regulations; that is, it calls attention to existing danger. We have a white light meaning a ship at anchor; we have a white light as a sign or signal of a boat being fast by a cable to the ground, or something like that; we have a white light as a signal of a ship being overtaken. Now, should a white light alone be seen, if it were not for pilot-vessels, one would always know exactly the meaning. That is to say, the white light would be a sign of warning to keep a good look-out. But with the pilot-vessel it is entirely different. The pilot-boat wants to reach you, and you want to get near the pilot. This is one reason why I think an alteration should be made, so that pilot-vessels could have a distinctive signal, showing that they are pilots and not other boats.

On the Baltic and on the Prussian shores, and so far as I know in Denmark and Norway, where there are hundreds of pilot-boats, and where the weather is bad and stormy, these boats have no chance of carrying a white lantern at the top of their masts. It is impossible; they cannot do it, and do not do it. This, therefore, has been the reason why, in several of these countries, the white light has been taken away from pilot-boats entirely, without, so far as I know, giving rise to any difficulties whatever. Ships have always been able to make themselves entirely understood as to what they are and what they come for. I think that it is nearly impossible to go anywhere along the Norwegian shore or the Swedish shore without finding these pilot-boats, and you will get a pilot just as sure there as you will sailing for the port of New York. To find a station, as stated by the honourable Delegate from Belgium, is an easy matter. The New York pilots are sometimes found as much as 500 or 600 miles away from home, and I think that this happens not only here, but at the entrance to the English Channel. In the English Channel there are quite a number of pilot-boats from England, Belgium, &c., and, if they could show these lights, which we recommend, it would be very easy to distinguish them.

Now, in order to do away with this white light, which it is impossible for our small boats to carry, we have had an idea of introducing the pyrotechnic light, and I may add, at the same time, that it has been brought up as a suggestion among ourselves whether it would not be advisable to allow another

signal to be added at the masthead; for instance, a red light instead of a white one. This light might be raised at the option of any pilot-boat when she wanted to show her station or place.

It may be said that this would bring quite a good deal of expense to these pilot-vessels, but I do not think there is any difficulty on that point. If the pilot-boats show that the expense they have incurred in providing the pyrotechnic lights and other masthead-lights should exceed a certain moderate sum, it would be very easy to augment the rates of pilotage, so that they should not suffer from it, if we could by so doing get rid of the white lights. If the white lights be only used as a warning of danger ahead, it would be very easy to do something, in Article 10, for open boats and small fishing-vessels, and to give the white lights to them. We have suggested, for the consideration of the Conference, that the white lights should be reserved for small fishermen and others to whom it may be a greater benefit, as it is a cheap and powerful light, and, I think, the best thing that can be obtained at a moderate outlay.

Mr. Goodrich (United States).—Mr. President, Captain Norcross, one of our Delegates, suggests something that has not yet been brought up in this discussion, and which possibly the Conference may hereafter conclude meets the difficulty, and that is, that the pyrotechnic light which the Delegate from Germany suggested might be a red signal, perhaps a red Coston or a red Payne light, to be shown when the vessel was on the port tack, and a green pyrotechnic when the vessel was on the starboard tack.

I can see at once that that would have a double value. In the first place, it is consistent with some of the other Regulations which indicate the starboard tack by a green and the port tack by a red light, and in addition to that, these signals, burning over a minute, which I think is the ordinary duration of the operation, or perhaps a minute and a-half or two minutes, would indicate the change or the movement of the vessel, so that an approaching vessel could a little more easily distinguish the direction in which the vessel was moving when she observed by compass-bearing the changes of this moving light. Of course, indirectly, that would be somethiug of a guidance.

Now, I do not at all like the use of the word "option" in the remarks of the gentleman from Germany. I do not want any option in these Rules. The minute that you permit a sailor to have an option, whether he will or will not do a certain thing, you introduce confusion in the Rules. I want to see these Rules, as far as they can be made, as rigid as steel, so that there shall be no doubt what the Conference of nations mean. They say, "Obey these Rules, and you will be saved from the danger of negligence; disobey them, and the Courts will impose upon you the penalties of disobedience to the Rules adopted by the nations of the world."

I thoroughly agree with Captain Mensing in regard to the difficulties of finding the pilot-boat zone.

Captain Norcross suggests to me that the Coston light, as the Delegates know, is of such a character and power that it illuminates the sail so that the loom of the vessel can be seen all the way across.

Now, in the port of New York, there are two sets of pilots, New Jersey pilots and New York pilots, who are acting under the laws of their respective States, but in most things these laws are harmonious. The pilot-boat which gets the farthest out to sea gets the most money. There is a line called the inshore pilotage line, inside of which pilots get a certain compensation per foot, and outside of that line they get a certain other compensation per foot. I will withdraw that part of the statement for the present. At any rate, there is so much competition amongst the various pilot-boats in New York that they go off as far as they can to seek vessels, and you can never tell where you may meet a pilot-boat, especially if the vessel which the pilot-boat is seeking is a vessel of great draught.

Mr. Verbrugghe (Belgium).—Mr. President, may I say a word to defend the white lights? The gallant Delegate from Germany stated very well that in the Channel there are English pilot-boats and pilot-boats of other nations. I do not see what difference that can make. I understand that the zone for pilotage is that which is in the vicinity of the port for which you are bound, and if you have missed other pilots you are certain to find pilots there. That is generally the way. Is there any difficulty for vessels coming to New York, for instance, of mistaking pilot-boats? I do not think that there is any chance for mistaking them, because they have their white light on the masthead and also their flare-up; and, as the gallant Delegate from Germany said, "Very well, the white light signifies that you have to keep away from vessels." Very likely it was for that purpose that they gave the white lights to the pilot-boats, and, in my judgment, it was for this reason. A pilot-boat may be unable to keep out of the way of a ship, and therefore, the white light gives her the right of way over other boats, requiring them to get out of the way: In a heavy sea a pilot-boat must be very carefully handled to get her boat alongside of the vessel which she is to pilot. For all of these reasons, and because the flare-up light gives a certain clue which enables you when at a certain distance to distinguish which way the pilot vessel is heading, I would urge the Conference not to change the white light unless every one is perfectly satisfied that it will be for the better.

Dr. Sieveking (Germany).—Mr. President, it is not my intention to continue this discussion, because I am sure, upon looking at my watch, that I would be stopped by the Chair. If you will allow me, merely for the sake of form, to give the Conference a reading of what the German Delegates intend to move with respect to the Articles we have discussed already.

The amendments which we intend to move to pass presently are the following:—

1. It is moved that a preliminary be inserted to the following effect:

"That the following International Rules and Regulations for preventing collisions at sea shall be followed in the navigation of all public and private vessels upon the high seas, and in all waters connected with the high seas and navigable by sea-going vessels."

That Article 2 be amended as follows:

"The lights mentioned in the following Articles, numbered , , , and no others which might be taken for such lights, shall be carried in all weathers from sunset to sunrise."

Then there is another amendment proposed to Article 3: that the words "sea-going" be left out.

That Article 3 be amended as follows:

After the words in section (*b*), "on the starboard side," then insert:
"At a place not less than 20 feet abaft the masthead-light, a green light," &c.

Also a corresponding amendment to section (*c*) of Article 3, by adding after the words, "on the port side," the following:—

"At a place not less than 20 feet abaft the masthead-light—right opposite the lights mentioned under (*b*)—a red light so constructed," &c.

Finally:

"That a certain candle-power be substituted as a standard for the visibility of lights mentioned in these Rules, in lieu of the standard now in force."

There are a few remarks I would like to make in regard to the Committee which has just been appointed, of which I have the honour to be a member. I am told that this Committee is appointed to prepare the material for printing the International Rules of the Road, together with any Memorandum of changes in the law of the other Powers than the United States.

I should feel very much obliged if the members of the Conference who are leaving could spare a copy of their Rules, to enable us to have them as a text before us, so as to carry out our duty as early as possible. I am sure that the greater part of the members of the Conference will be in possession of their own Rules. If they have not a spare copy, at least let me have, as far as possible, a copy of these Rules for a day or two, just to do this work.

Mr. Flood (Norway).—Mr. President, I would like to move that Article 9 shall be taken exactly as it stands in this proposition, excepting these three words in the next to the last line, "on her station," and instead make it read, "a pilot-vessel when engaged on pilotage duty."

The reason for striking out these words has already been stated by Captain Mensing and Delegate Goodrich, and I need not occupy your time. I think that a pilot-boat is on her station when she goes out by Sandy Hook with half-a-dozen pilots on board. She is looking for ships, and that is her business. She is in the regular place where she is looking for that business.

The flare-up light is not so much for her own protection as to indicate to the mariner on a dark night that there is a pilot-boat in the neighbourhood. I think that these words might be misunderstood if they are not stricken out or in some way explained as to their meaning. I propose that these three words be stricken out, and the way I would amend it is this: "that pilot-boats should use the flare-up light as long as there is a pilot on board, on a dark night."

Mr. Goodrich (United States).—Mr. President, I move we adjourn.

At 1 o'clock P.M. the Conference thereupon adjourned until Monday morning, the 21st October, at 11 o'clock.

Washington, Monday, October 21, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The first business in order this morning will be the reading of the Protocol of the preceding meetings.

And thereupon the Secretary read to the Conference the Protocol of Wednesday, 16th October, 1889.

Mr. Goodrich (United States).—Mr. President, I move that the reading of the other Protocols be suspended for the present, as they are not yet in print. I suggest that there is no occasion for reading the Protocol in the morning, unless some member desires especially that a part of it should be read. It will consume a great deal of time, and it will be here in print upon our tables.

The President.—The Chair will state, before putting that motion, that the printed French Protocol of the first day is not complete, and not correct, and therefore cannot be read this morning. It will be read on another occasion.

The Chair thereupon put the question as to suspending the reading of the Protocol, and the motion was carried.

The President.—Copies will be placed upon the tables, and time will be saved if the Delegates will correct the copies before them.

The first business in order will be Mr. Goodrich's motion with reference to the amendment to the 1st Article of the Rules of the Road.

Mr. Goodrich (United States).—Mr. President, I move to postpone the consideration of the special order for this morning until the Conference have run through with the entire Regulations for the purpose of receiving amendments. I do this upon the suggestion of Delegate Hall, of Great Britain.

The Chair put the motion, and it was unanimously carried.

The President.—Before proceeding further, the Chair desires to announce the Committees appointed under the following Resolution:—

"*Resolved*,—That the Chair appoint two Committees, each to consist of seven Delegates, to be known as the Committee on Lights and the Committee on Sound-Signals, whose present duty it shall

be to examine and report to the Conference the literature on these two subjects which is in the possession of the Conference."

I will now name, in alphabetical order of the countries which they represent, the members of these Committees:—

Committee on Lights.

France	Captain Richard.
Germany	Captain Mensing.
Great Britain	Captain Wyatt.
Russia	Admiral Kaznakoff.
Spain	Lieutenant Vega de Seoane.
Sweden	Captain Malmberg.
United States	Captain Norcross.

Committee on Sound-Signals.

Austria-Hungary	Admiral de Spaun.
Denmark	Mr. Schneider.
Great Britain	Admiral Nares.
Italy	Captain Settembrini.
Netherlands	Captain Van Steyn.
Norway	Captain Salvesen.
United States	Captain Shackford.

The President.—Should the Committees desire the services of the Secretary, they will be kind enough to let me know and I will request him to be in attendance. They are large Committees, and the members will have a great deal of work.

The Conference will now proceed with the order of the day, which will be the further consideration of Article 9.

Captain Van Steyn (the Netherlands).—Mr. President, I handed in a motion in regard to Article 9 on Friday morning, but I did not state the reason for the proposed change. I will now read the Article: "That a pilot-vessel when engaged on her station or on pilotage duty shall not carry the lights required for other vessels, but shall carry a red and white light in a vertical line, one underneath the other, at a distance of not less than 6 feet, and exhibit a pyrotechnic light when wishing to board a ship."

Now, I will tell you the reason why I proposed this. In the North Sea every fishing-boat exhibits white lights from some part of the vessel where they can best be seen. Pilot-vessels are very often surrounded by fishermen, and it is difficult for any ship in want of a pilot to find out the pilot-boat. If the pilot-vessels had a distinct mark, such as a white and red light—a pyrotechnic red light when they want to board a vessel and a flare-up light that may be shown, if necessary, to indicate the after part of the vessel—we believe it would answer the purpose.

The President.—Have you that amendment in form?

Captain Van Steyn (the Netherlands).—Yes, Sir; I have it.

The President.—The Conference will now proceed to Article 10.

Mr. Verbrugghe (Belgium).—Mr. President, before continuing the consideration of Article 10, I desire to call the attention of the Conference to the fact that in the Rules no provision has been made as to lights for tug-boats seeking business at a distance from shore. A tug-boat is very easily recognized during the day, but during the night, when not towing, she carries the same lights as other steamers. There should be some means to enable a tug-boat to offer her services during the night. The Conference will decide what signal will be the best. I am not particular about the signal, but I think that some signal should be given to a tug-boat so that she could be recognized at night. A white and a red flare-up light, showing alternately, might be used. I am not particular about the wording of the Rule, and I hope that somebody will assist me in regard to that. I would make it something like this:—

"A tug wishing to offer her services to a vessel shall exhibit to such vessel, in addition to the ordinary light, a white and red flare-up alternately."

Another question about lights is this: I see, in the Rules for the Thames, that vessels when employed to mark the position of wrecks or other obstructions exhibit certain lights. It would be, very likely, a good thing that there be a uniform method of lighting vessels employed to mark wrecks, not only at sea, but in all waters open to the sea, to enable a ship-master when he sees such a light to know it marks a wreck, and on which side to pass. I would suggest this:—

"A vessel, when employed to mark the position of wrecks or other obstructions in the sea or in waters open to the sea shall exhibit three bright lights, two placed vertically, not less than 3 feet apart, on the side of the wreck where the obstruction is, and one light on the side of the fair-way."

There is another point to which I wish to call the attention of the Conference. In Article 2 it is said that no other lights than those mentioned in the Rules shall be shown, yet large steamers do show a great many lights from deck-houses, skylights, &c. I believe that a great majority of the Conference will vote to sustain these lights, because large ocean steamers are usually recognized by these lights. What I wish is that it should be mentioned whether it is legal to do this.

Mr. Goodrich (United States).—Mr. President, simply following that thought, and in connection with the matter which has just been suggested, I remember that the North German Lloyd steamers carry, on the promenade deck, on the port side, two electric lights, shaded with red glass, and on the starboard side, two shaded with green glass. As these vessels are pretty long ships, it has often occurred to me that these lights might sometimes, in a narrow harbour, result in a collision. It is a curious speculation to know whether that kind of a light may not be absolutely forbidden, as suggested, rather than advocated, by the honourable Delegate from Belgium. This is a thought which ought to be in the minds of the Conference, and it is well to take it into consideration somewhat now, because if we can formulate these propositions or amendments to all of these Rules as we go over them, and hereafter take them up and discuss these separate subjects, it would be a very great help. In other words, if we could have laid on our tables all these propositions, perhaps we might conclude to form a Committee to draft the Rules which group themselves under the same subject; and I think the Delegates ought to give us, as we go over the Rules now, the benefit of their ideas upon any amendment. I am free to say that I do not care whether they think it is good or bad, as an amendment. As I said before, we are none of us pledging ourselves to advocate the propositions which we present. They are merely to get the views of the Delegates upon the subject. I am sure I speak the views of the President when I say that if all the Delegates would give in the amendments and all the amendments suggested by their thoughts as we run over these Rules, as we are now doing, it would be a very desirable thing.

The President.—The Conference will now proceed with the consideration of Article 10.

Captain Malmberg (Sweden).—Mr. President, when we were discussing Article 7 I stated that my opinion was that Article 7, as it stands now, should be taken out of the Regulations, and Article 10 made to cover Article 7. That was only a suggestion. I will make it now in the form of a motion. This is the manner in which I think Article 10 should be made to read, so as to cover Article 7:—

"Fishing-vessels of less than 20 tons net registered tonnage, when under way and when not having their nets, trawls, dredges, or lines in the water, as also vessels of less than 20 tons net registered tonnage, and open boats when under way, shall not be obliged to carry the coloured side-lights."

In that manner Article 7, in my opinion, could go out of the Regulations altogether. I think, also, that any vessel at sea of 20 tons registered tonnage would be able to carry her side-lights.

Mr. Hall (Great Britain).—Mr. President, I should like to call the attention of the members of the Conference to a subsequent part of Article 10, and that is the subsections which apply only to the coast of Europe lying north of Cape Finisterre. I do not know whether it is thought desirable by the Conference that at this International Conference we should deal with Sub-Regulations which would affect only a very limited number of nations, and I think it would be an assistance to the Conference if I would state what is no doubt known to a great many gentlemen in this room, that there is a Conference appointed to deal with this particular question, a Conference of the Powers who are interested in the matter. The question of the lights for fishing-vessels for countries in Europe north of Cape Finisterre is a subject, I believe, with which the Representative of each of these Powers is going to deal. If so, perhaps it may be the opinion of the Conference that it may be unnecessary for us here, representing the whole of the maritime nations of the world, to deal with such matters. It is perfectly true that it may be said that other vessels belonging to other nations go through these waters where these fishing-boats are which belong to the particular nation. Still, of course, that applies to every coast where there are local Rules. Vessels belonging to every nation pass through waters where there are at present local Rules. The same thing would apply with regard to countries lying north of Cape Finisterre. I only wish to call the attention of the members of the Conference to this fact, that there really is another Conference dealing with this subject. These are, after all, subsidiary Rules affecting only a certain number of nations; and if that be so, is it worth while for this Conference to attempt to deal with them as an international matter?

Mr. Goodrich (United States).—Mr. President, will the Delegate allow me to ask him if he has any idea as to what time that Conference will finish its work?

Mr. Hall (Great Britain).—I am not able to say.

Mr. Goodrich (United States).—Is it now in session?

Mr. Hall (Great Britain).—I believe they have been sitting. I do not know.

Dr. Sieveking (Germany).—I do not think that Conference will meet until some time next year.

Mr. Goodrich (United States).—Mr. President, that brings up the question which we discussed the other day, whether this Conference shall make Rules for the world, and leave such Powers as want to make local Rules to except their own countries and waters from the operation of these Rules. I am very positive and pronounced in my own opinion that we had better proceed with our work in our own way; and as we represent every nation on the face of the earth which is largely engaged in maritime matters, I am very strongly of the opinion that we had better make general Rules for the world, and let individual nations make the exceptions. With great respect for my friend, who has made some suggestions on this subject, I think we had better make an amendment to this Rule now and go right ahead with our line of work, especially in view of the remarks of Dr. Sieveking that the time of the meeting of the other Conference was quite indefinite.

Mr. Hall (Great Britain).—Mr. President, I would only point out that these subsections to which I have called attention are not general Rules. They are Rules for fishing-vessels in particular parts of the world. So there are Fishing Rules for America and Fishing Rules for other countries; but are we to discuss the Fishing Rules of America? It is in the same way that these subsections belong to the countries lying north of Cape Finisterre. What I want to point out is not any objection to the principle of dealing with International Rules, but that when we come to a local Rule which has found its way into the International Rules, pertaining to particular countries, the question is whether

or not it is desirable for us to deal with them? I do not quite see where we are to stop with regard to fishing-vessels, or how we are to deal with fishing-vessels through every part of the globe. These are mere local Rules as you will see. I do not suggest that Article 10 should not be discussed as a general Rule as to fishing-vessels. What I want to call to the attention of the Conference is this, that the latter part is only dealing with some local Rules for vessels plying off the coast north of Cape Finisterre, in Europe. These are merely local Rules which have been embodied into the International Regulations. I think it very desirable to have a general Article such as Article 10; but exceptions to the Rule, it may be thought, might be better dealt with by local Rules by the nations on the waters in which they ply.

Mr. Goodrich (United States).—Mr. President, still the same doctrine applies; I do not consider the Atlantic Ocean, north of Cape Finisterre, in any sense a confined locality, nor does the jurisdiction over that part of the sea pertain to European nations any more than the jurisdiction over the Gulf Stream along our coast pertains to the Government of the United States. I repeat again, that every water navigable for vessels, whether it be sea, bay, or river connecting with the sea, should, in my judgment, be within the jurisdiction of these Rules. We should make a Law, and I believe we can make a wise one, after united consideration, which shall govern the vessels of the whole world; and if we can formulate a Law which is satisfactory, and which is eminently proper, which will have the effect of preventing collisions, the nations of the earth, as they come to ratify that which we refer to them, will adopt our Rules if they commend themselves to the judgment of their respective Legislatures. Certainly the waters referred to in the subdivisions of Article 10 are not within the legitimate control of the nations which are adjacent to them. I do not know of anything which has destroyed the whole rule of jurisdiction beyond the extent of a marine league off the coast, and these waters are miles off from the coast, league upon league away. It is the entire North Atlantic, north of Cape Finisterre. I am very anxious that we should proceed, and I therefore desire to impress it now, when, perhaps, I am a little premature, upon the Conference, that my idea of this Conference—and I believe the idea of a great majority of the members—is that we should make a Code of Laws applicable to the whole seas, to the whole maritime commerce of the world, and make it so thoroughly and so wisely that all the nations will adopt it. If any nation wants to make local exceptions for internal waters, then that nation which has the waters under its control can make the exception. But let us make a Rule which, as the gentleman from Norway said the other day, will be satisfactory to all nations and in all waters. I do not understand that to-day the members of the Conference from the Scandinavian nations are desirous of making any alterations for their own internal waters. They want a law that will cover all navigable waters.

Mr. Hall (Great Britain).—Mr. President, I apprehend that there is really no difference between the learned Delegate from the United States and myself. We think it is most desirable to have a general Rule with regard to fishing-vessels; but what I am pointing out is whether or not it will be necessary for us to deal with the local Rules applying only to portions of the coast of Europe north of Cape Finisterre. The beginning of Article 10 makes it applicable, as you will see, to fishing-vessels, and I agree with the Delegate who has just addressed the Conference that it is most desirable to have a Rule which will govern fishing-vessels throughout the world, where there are no local Rules. I say, by all means let us frame general Rules with regard to fishing-vessels which will bind every country in the world; but is it worth our while to endeavour to settle local Rules for the coast north of Cape Finisterre? I think that we are both really agreed upon that point. Let us frame a general Rule with regard to fishing-vessels, and leave out all exceptions with regard to Cape Finisterre, or Newfoundland, or Japan.

Captain Sampson (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain if he would not consider it an unfortunate circumstance if this Conference adopted Article 10 and made it a general Rule; and another Conference were to adopt Rules which should apply to the Atlantic north of Cape Finisterre, which, in themselves, should be just as general, and which should, apparently, come under Article 10, as much as fishing-vessels in any other part of the world?

Mr. Hall (Great Britain).—Mr. President, you will see that this is confined to the coast of Europe north of Cape Finisterre. It is only confined to coasting-vessels. That would not apply to vessels fishing out in the Atlantic. It applies only to vessels of this particular class. I am only endeavouring to point out that these are merely local Rules, and have nothing whatever to do with the Regulations for Preventing Collisions at Sea.

Mr. Goodrich (United States).—Mr. President, every Rule which we adopt should apply to the whole world.

Dr. Sieveking (Germany).—Mr. President, I beg to give notice of an amendment which I intend to propose with reference to the beginning of Article 10.

Article 10 applies to open boats and fishing-vessels of not less than 20 tons net registered tonnage, and it gives them a certain advantage as to carrying lights. It provides that they shall not be obliged to carry side-lights, "but every such boat and vessel shall, in lieu thereof, have at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching to or being approached by another vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side." Now, the intention of our amendment is to extend this advantage a little further in one direction, and to limit it in another direction. We think that what is said here about open boats and fishing-vessels of a small size only should be extended to all boats of this sort, small craft, not to open boats only and fishing-vessels, but to all vessels which have not a larger size than a certain tonnage. We thought that we would propose that it should be at 14 tons gross registered tonnage. The principle is this: we think that all vessels above a certain tonnage, say, upwards of 14 gross tonnage, should be considered as able to carry the side-lights as they are prescribed, subject of course to the proviso of Article 7, which allows any boat, if they cannot be fixed, to show them only. "All

vessels," whether open or decked, whether boats or fishing-vessels, which are under a certain tonnage, say, 14 tons, should be allowed to make themselves distinguishable by showing a white light only.

I have been told that this system of having a lantern with a green glass on one side and a red glass on the other side does not sufficiently answer the purpose; that in bad weather, in a heavy sea, it is scarcely possible for a man in these small vessels, and in which the crew consists of but few hands, to hold these lanterns in a way so as to avoid a mistake. It is clear that, if a vessel is tossed about and the man is not able to keep a firm standing or footing, then mistakes may occur in consequence of his having only one lantern with a red glass on the one side and a green glass on the other side. On the other hand, it has been said that in olden times these small vessels generally used to distinguish themselves by showing a white light on approaching another vessel, or on being approached by another vessel. Now comes the question of expense also for these small boats, and whether it would not be too much to require this small craft to be provided with lanterns like those mentioned in Article 10.

These are the reasons which have led us to propose this amendment, which, with the permission of the President, I intend to give in to be printed, and which I beg to read:—

"Boats and other vessels of less than 14 tons gross registered tonnage, whether under way or not, shall not be obliged to carry the lights required for other vessels; but if they do not carry such lights, they shall have, ready at hand, a lantern showing a bright white light of at least 12-candle power."

This does not make it obligatory upon them to show the white light.

Mr. Hall (Great Britain).—Mr. President, I think that all the members of the Conference will be agreed that it would be out of the question to attempt to compel every craft, however small sh may be, if she was on the high seas, to carry the same lights prescribed for ordinary vessels under Article 3, because it is clear that small vessels like small steam-launches could not carry these side-lights which would show at least 2 miles distant. It was for that reason that we thought we could obviate all that difficulty, under the Rules as they stand now, by using the epithet "sea-going steamship." A steamer like a steam-launch, or a vessel of that sort, would not come within the purview of Article 3, and therefore she would not have to carry the large side-lights, which she obviously could not carry. But it will be necessary to consider how it should be done, whether by excepting all these small vessels, or by an exception to Article 3, which I think would, perhaps, be more convenient than putting it into Article 10.

Now with regard to the suggestions which the learned Delegate from Germany has just made, that such small vessels shall carry a distinguishing light. Again we shall be confronted with the difficulty of being able to devise some distinguishing light. I have no doubt that he will find, turning to the Rules for Fishing-vessels, which are found on p. 18 of the English copy, that he will find that a trawler, when she is not fast to a rock and not stationary, has to carry a white light in a globular lantern, but also she is to fire or give some signal with a pyrotechnic light on the approach of a vessel. So that here, if the suggestion be adopted, we would have the same light that we have for a trawler, a fishing-boat, and all small vessels under a certain burden.

There is also this to be pointed out, which I think should be borne in mind during our deliberations here. There are now very fast launches designed which navigate inland waters, which certainly, in my opinion, ought to show something more than a white light. They go at a great rate of speed, and I think there should be something to warn the officers in charge of large vessels, when they see a light approaching them that it is not merely a fishing-vessel or a pilot-vessel, but that it may be a steam-launch which is travelling at the rate of from 20 to 22 knots an hour. I think there ought to be something on that point.

I do not want to increase the difficulties that we have here, but I have deemed it necessary to include in the word "steam-ship" a vessel propelled by electricity or naphtha or hydraulic power. In fact, I think we shall have to include in the word "steam-ship" all vessels worked by machinery, because unless we provide for that we shall have electric launches and naphtha launches not compelled to carry any light at all.

Mr. Goodrich (United States).—Also in that connection, Mr. President, I think the simpler we can make the lights the better it will be. I do not know that this is practicable. Some Delegates want a distinguishing light for a pilot-vessel. A good many wants what my friend from Great Britain wants, a special light for a small naphtha-launch or a steam-launch. The difficulty is going to be that the sailor is going to have so many lights that he will never remember them. If there could be a system devised by which the present lights could be kept and no others used, if that be within the bounds of possibility, I think the Conference ought to adhere to that proposition. I suppose, from what the learned Delegate from Great Britain has said, that some of these launches would hardly be able to carry the large lights. Then why not make a smaller light of the same kind for them? The time is coming—and that is a matter which we have got to consider—the time is coming, or has come, when the whole system of lights must be changed so far as their power is concerned. I am not speaking for the instruction of the nautical Delegates, who know a great deal more about this than I do, but for the purpose of waking up the press' attention to it. When these Rules were made, or the Rules of which they were the offspring, in 1863, a vessel going 10 to 12 miles an hour was a pretty rapid ship. Now they go twice as fast. The gap between two vessels closed then at the rate of a mile in three minutes, and now that gap closes at the rate of a mile in a minute and a half; and lights which would have been a warning to a vessel 3 miles off or 2 miles off then, will not do to-day. Of course there are difficulties in prescribing that a standard lamp shall be used, because, perhaps, the best lamps to-day are patented lamps, and we cannot afford to advertise any patents here, nor be a party to a scheme which will put up any one lamp, good though it be, to the exclusion of the others.

We might have to come to the proposition that vesse.s above a certain rate speed may carry a certain character of lamp, not of colour or of position, but of power. We might require a large lantern on a large steam-ship or a large vessel, while a little steam-launch could have an ordinary hand lantern, which certainly she could stagger under. But these are questions which come quite *à propos* to what has been discussed here about these lights. In all discussions and amendments which may be made upon these Rules, I hope we shall come to the conclusion that the present lights shall be unchanged, even though new lights are added. I do not see why these lights are not sufficient, except as to power, as they are written in the Code to-day.

Captain Bisbee (China).—Mr. President, I would like to ask if it is not within the knowledge of the nautical men here present that steam-launches do, at the present time, carry the regulation red and green lights. They certainly do on the Shanghae River. There is no difficulty in their carrying them.

Captain Malmberg (Sweden).—Mr. President, I may state, also, that in Sweden every steam-launch has to carry the same kind of lights as are mentioned in the Regulations. They are only of a smaller size. They carry them now just in the same manner as they are carried on the largest ship in the world, except that they are of a less power.

Captain Bisbee (China).—Mr. President, small launches are not used to any great extent now. The tendency now is to increase their size. When they began to use steam-launches in the waters I speak of, they were, perhaps, 30 feet long. There is, perhaps, scarcely one built now which is under 50 feet, because they want increased speed, and they have to carry the regular light. I have one belonging to my own office, and it is 50 feet in length, and we always carry the regular lights.

Mr. Hall (Great Britain).—Mr. President, I will say that in England the launches also carry side-lights, but they are not the regulation side-lights. But you cannot make Article 3, which provides for a side-light applicable to a distance of 2 miles, applicable to small steam-launches, because they could not carry a light large enough to give that range. It may be met, as the Delegate from the United States suggests, by providing a certain scale of lights for vessels below a certain tonnage.

Mr. Garde (Denmark).—Mr. President, we do not think that open boats should be included in Article 10 together with fishing-boats. It may not be possible to carry out a Rule in regard to fishing-vessels which can properly be termed international, and then it must be left to the different nations, at least in some parts of the world, to establish special local Rules for fishing-boats. I do not think that open boats should be included under this head; whereas it would be advisable to mention open boats in Article 7, which deals with small vessels in bad weather. I do not include steamers, but only sailing-vessels under a certain tonnage, of either 14 tons gross tonnage or 20 tons net. I suppose that it would be preferable to have a gross tonnage as the limit. It might do to say that such small vessels shall only have a lantern ready to show when there is danger of collision, as mentioned in Article 10. In this manner Article 10 would be apart from the general Rules for sailing-vessels and boats, and it would only be for the Conference here to examine whether it is possible or not to come to an International Rule for fishing-vessels. I coincide in my desire with the American Delegate, that the Rules for fishing-vessels should be international as well as all other Rules; but I am inclined to believe that it is not possible to carry out an International Rule for fishing-vessels for the whole world. We have in our country very small boats, and they have in Norway, especially to the north, very large open boats. I believe they come up to as high as 50 tons without a deck, and they are in such remote parts of the country that I do not believe it is possible for them to carry out any International Rule which might be agreed upon here; and I suppose that similar cases may be found on the American coast and elsewhere.

I would propose that we should try to come to an agreement about fishing-vessels, in so far as an International Rule can be established to be carried out everywhere, and then leave to every Power the right to establish local Rules for their own locality, in agreement with the neighbouring nationalities interested in the question in that part of the world. I cannot form any proposition at present, but I will submit it as a principle which I recommend should be followed, and afterwards I may, perhaps, submit it to the Conference.

Captain Mensing (Germany).—Mr. President, I beg leave to explain in a few words an expression which has been used here for the first time in the German Resolution that we propose to move, and that is in regard to the candle unit, which is mentioned as the standard. I want simply to state that there are, so far as I know, two units in existence. The standard Colza lamp, which, so far as I know, has been used in France and a great many of the Latin nations, is one that consumes 40 grams of Colza oil in one hour when the wick is 2 centim. in diameter. The standard candle-power which is used in Great Britain and Germany is the common sperm candle, or common stearine or paraffin candle, with one wick, consuming 120 grams an hour. The ratio between these two standards, the candle and the Colza lamp, is not absolutely sure. By some authorities it is given as being nine and six-tenths standard candles to one Colza unit. Other authorities give it as eleven and one-half standard candles to one Colza unit. Now, what has been proposed here is twelve standard candles. I do not think that the German Delegation would like to be bound within any very narrow limit to this power, but the idea is that this white light shown by fishing-vessels should be one that is about equal in power with the Colza light. The Colza lamp, as I stated before, is one consuming about 40 grams of Colza oil. I think, from my experience, that it will be very easy to construct a lamp that would consume only 20 grams an hour: that is to say, that would use in ten hours only about 200 grams, or four-tenths of a pound of oil, during the night, and that would give the required strength mentioned in this proposition. I think that such a light would be seen farther than the one that we have at present.

I would like to mention here that Article 10, as we have proposed it, is the same in effect as that now proposed. Our Article 10 differs from the one that is used by Great Britain and other nations, because we have found it impossible to carry it out in our German waters, and therefore we have altered it in about the same manner that we have adopted it here.

The President.—Pending any further suggestions or amendments in regard to Article 10, amendments to past Articles are now in order.

Captain Richard (France).—Mr. President, I desire to offer an amendment to Article 6 of the Rules regarding the precautions to be taken against collisions at sea.

My amendment is as follows:—

To Article 6. "Every sailing-vessel under way must carry such lights as are indicated by sections (*b*) and (*c*) of Article 3, with reference to steamers under way.

"They shall carry, furthermore, at the head of the foremast a white light."

I would ask permission to explain briefly my amendment.

Whenever a sailing-vessel is met at night on the high seas, and especially in bad weather, she is a source of danger from the fact that she is not obliged to manœuvre, but continues on her way; and although the red and green lights required by these Rules must be carried, it is not always certain that they will be seen, inasmuch as they may be hidden by the sails.

These red and green lights, which, according to our Rules, are presumed to be visible at a distance of 2 miles, cannot always be seen at that distance; and there is no doubt that in spite of all precautions, and in spite of all the conveniences that have been provided, mistakes are frequently made.

In England particularly I know many provisions have been made by the Board of Trade, and many precautions taken, and many conveniences provided—I do not know if the same measures have been adopted as strictly in any other countries—but in any case I know that collisions are still frequent.

My learned colleague from Germany has let fall some words upon this subject which have struck me forcibly. He has said that the white light is the signal of danger, and we know that there is nothing more dangerous at sea than a sailing-vessel. That is why I have thought fit to make this amendment. I am not very sure about the wording of the Article, but I am quite certain that the discussion must bring about some understanding; at all events I believe the thing is possible.

Then, again, much depends upon the position in which you place the lantern and the manner in which this white light is shown. It seems to me that a sailing-vessel should be better lighted than any other, in order that she might be distinguished at a greater distance, because the danger is greater. She should, therefore, carry a more powerful light. And while the red light or the green light may not always be understood, the white light, being the true signal of danger, is placed on the highest part of the ship; and I believe that the use of that light is the only certain means of avoiding collisions.

I am aware that the motion which I make has its inconveniences and is open to objections, inasmuch as it may have the effect of working a change in regard to other Articles touching upon the relations of steam-ships and sailing-vessels. But I believe it to be very advisable that the Conference should take cognizance of the question.

With these few considerations, I ask that my amendment be printed and distributed among the honourable Delegates.

Admiral Sir George Nares (Great Britain).—Mr. President, may I make one observation, which is not at all of a controversial nature, with regard to what my friend and colleague, Captain Richard, has said? He wishes, as I understand, to have the white light given to sailing-ships. I only wanted to call his attention, and also the attention of my brother seamen, to the fact that even on dark nights the sailing-ship under sail is far easier seen than a steamer.

Captain Settembrini (Italy).—Mr. President, I wish to call the attention of the Conference to Article 11. Article 11 says:—

"A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light."

Now, it may be very often the case on board a ship that the officer of the watch sees that he is overtaken by another ship and exhibits a white light, which is to be shown astern, to avoid danger. The white light is not very easily to be found. The lamp is not at hand, or, if it is to be found, there is some time lost. So I consider that this white light must be fixed on the poop or taffrail. The white stern-light is just as important as the coloured side-lights; and for this reason I propose that Article 11 should be stricken from the place where it now is and be incorporated in Article 3 and made subsection (*d*), running in this way:—

"On the stern a white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twelve points of the compass, so fixed as to throw a light from astern to six points on the port and starboard sides, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. Such light shall be carried as nearly as practicable on the same level as the side-lights."

Then subsection (*d*) would become subsection (*e*), and would run in this way:—

"The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights being seen across the bow, and the white light shall also be fitted with screens so as to prevent the light from being seen forward of these points."

The consequence of this is to bring an alteration to two other Articles. They are very slight alterations. In Article 6, where it says that "a sailing-ship under way or being towed shall carry the same lights that are provided by Article 3 for a steam-ship under way, with the exception of the

white light, which she shall never carry." In this case I think it must be corrected to read, "with the exception of the masthead-light, which she shall never carry," because a sailing-ship is obliged to carry always a white stern-light. Now, for the small vessels, as they are allowed to keep the side-lights inside of the ship or on deck, ready for use, so they should also be allowed to keep the white stern-light ready for use, and Article 7 should be, according to my opinion, corrected so as to read:—

"Whenever, as in the case of small vessels during bad weather, the green and red side-lights and the white stern-light cannot be fixed, these lights shall be kept on deck on their respective sides of the vessel ready for use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in time to prevent a collision," &c.

Then to the last paragraph, where it says: "In such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side," there should be added, "nor the stern-light from the forepart of the ship."

The President.—Will the Delegate from Italy please embody that as an amendment and hand it to the Secretary?

Mr. Hall (Great Britain).—Mr. President, I quite agree with the gallant Delegate from Italy as to the importance of this stern-light. We have found that it is of the greatest assistance. We think there should be no dispute between the gallant Delegate from Italy and ourselves as to the necessity of that light being shown. The only criticism I should venture to make upon what he has proposed is this, that it, of course, would involve, as he has stated, the alteration of two or three of the other Rules.

Now, I cordially agree in what has fallen from the lips of the learned Delegate from the United States as to the desirability of framing these Rules so as to alter the lights as little as possible. I think that we are strongly of the opinion that the multiplication of the lights is to be avoided as much as possible. I think that any one who has studied the progress of Sea Rules as they have been framed will see that the idea has always been to have a uniform system of lights, but gradually exceptions have crept in to distinguish, for instance, fishing-vessels and pilot-boats, &c., and they have crept in without the intention of interfering with the main Rule.

Now, with regard to the proposition that the stern-light should always be carried, making it in fact a fixed light and incorporating the provision in Article 3, I think we ought to remember this—I know it would be no hardship upon large vessels, but it would be rather a tax upon small craft which ply about the coast, certainly, to impose this upon them—the stern-light is only used by them sometimes once in several months. It is not like the side-lights, which are used at every hour and almost every moment of the night by vessels which are being met; but it only has to be shown in rare cases where they are being overtaken in such a manner that there is risk of a collision. Then they are allowed to hang this light out and show it. We have found in practice in Great Britain that large ships do carry a fixed light such as this, but there is no doubt that if a steamer is carrying a fixed light like this, with the Rules in the present shape, that it would be contravening the Rules, because she is carrying a fixed light not provided for by the Rules. Therefore, she would be to blame for having exhibited a wrong light. By the present Rules she has merely to show it when she is being overtaken; but there can really be no objection to her carrying it as a fixed light. Therefore, we propose to make it optional with a vessel to have a stern-light fixed if she likes, and if she does, she must have it fixed as nearly as possible at the same height from the water as the side-lights.

The amendment about which I am about to give notice is merely to carry out that idea and make it allowable for vessels to have their stern-lights fixed if they choose. We propose to add to Article 11 the following:—

"The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw a uniform and unbroken light over an arc of twelve points, that is to say, for six points from right aft on each side of the ship. Such light shall be carried as nearly as practicable on the same level as the side-lights."

I think that there is no doubt but that the gallant Delegate from Italy and ourselves will be able to arrive, by discussion, at a medium or mean between us.

The President.—That is rather an important question. Will you be kind enough to make it in the form of a Resolution?

Mr. Goodrich (United States).—Mr. President, while my learned brother is formulating his proposition in connection with the subject which the gallant Delegates from Italy and Great Britain have called to the attention of the Conference, Captain Norcross, of our Delegation, suggests that the white light, as required in Article 11, shall be fitted with the slip-screen, to be only removed when being overtaken by another vessel, which suggestion I should like to hand to the Delegates who are formulating that Article as a very thoughtful suggestion which may be of great service.

Mr. Verney (Siam).—Mr. President, before we pass from the discusion of the subject of lights, I would like to throw out as a suggestion to the nautical members of this Conference the following proposition. I cannot claim, as many of the gentlemen who are present can claim, practical experience in the matter which will guide me in arriving at a proper conclusion; but as one who has carefully listened to the discussion I have ventured to put down on paper what seems to be a very general opinion:—

"As the danger of collision has come to depend much more on the speed of approaching vessels than on any other consideration, the lights to be carried on any steam-ship under way shall depend on the maximum speed of such ships, and the intensity of the light to be carried shall be expressed

by some grade or unit of measurement, and shall have some reference to the maximum speed of the steam-ship which carries them."

I do not venture to trouble the Conference with any explanation of that, because it seems to me that the explanation of that Resolution has already been given by other members of the Conference who have before spoken.

Captain Sampson (United States).—Mr. President, I propose this Resolution, without advocating it in any way whatever, but simply, as I stated before, to obtain the sense of the Conference on this question :—

"*Resolved*,—That white range-lights be substituted for the present coloured running lights, or that they be used in conjunction with such coloured lights."

The President.—The Resolution contains two propositions, which should be offered separately, as some of the Delegates might vote in favour of the second who would not vote in favour of the first.

Captain Sampson (United States).—Mr. President, it is written "or." It is simply to get the opinion of the Conference as to making any change at all.

Mr. Goodrich (United States).—Mr. President, I want to suggest, in connection with the Resolution or expression of opinion of the learned Delegate from Siam, one practical difficulty which occurs to a theoretical seaman. The Delegate proposes a light graduated to the maximum speed of the ship.

Mr. Verney (Siam).—Not quite that; but to have some reference to it.

Mr. Goodrich (United States).—Then, if the steamer reduced her speed, you would have to have an automatic machine, like the governor to a steam-engine, to regulate the intensity of the light.

Mr. Verney (Siam).—No, Sir; because I consider that there would be no objection to her carrying a maximum light. I do not, in any way, propose that the steamer should reduce her light as she reduces her speed. Perhaps I have worded it awkwardly.

The President.—Will the Secretary please read the Resolution presented by the Delegate from the United States?

The Secretary read as follows :—

"*Resolved*,—That white range-lights be substituted for the coloured running lights, or that they be used in conjunction with such coloured lights."

Mr. Hall (Great Britain).—Mr. President, I do not know whether it is suggested that the Conference should be asked to express an opinion upon that at the present time, or possibly to-morrow morning. I will point out this. It is clear that any intention to support such a motion would require careful consideration. I apprehend really that the object of it is to elicit the opinion of the Conference as to whether or not it is desirable, as was suggested by Delegate Goodrich, to confirm the principle that it is undesirable to interfere with the existing lights which are used on board ships. Of course, I can only speak of the result of what is told me by my colleagues, who have had very great nautical experience. But so far as I can judge, the overwhelming preponderance of opinion among sailors is that it is desirable to adhere to the existing system of lights, which have been used now throughout the world for so many years, and which are known upon the sea. If it be the intention of this Resolution, as I apprehend it is, to clear the way for future discussion, by at once confirming the principle that the present system of side-lights and the masthead-light be adhered to, that will, no doubt, save the time of the Conference, and I would willingly vote with my colleagues in support of that proposition. I might, perhaps, suggest to the gallant Delegate for the United States whether or not a Resolution in converse terms would not signify more accurately the sense of the Conference, a Resolution, perhaps, in such words as, "that in the opinion of the members of this Conference it is desirable not to depart from the present system with regard to the coloured lights and masthead-lights for vessels at sea." I would suggest that this would confirm the principle more distinctly than to put it in the negative way in which he has framed it. I think it would point more distinctly to the object in view. It seems to be almost the unanimous opinion that the Conference should adhere to the present principle and use the coloured lights and masthead-light.

Captain Sampson (United States).—Mr. President, I only propose the Resolution to obtain the sense of the Conference to decide the question. It is to be noticed that the Resolution contains two propositions, first to do away with the coloured lights, or to use them in conjunction with the range-lights. This method of using range-lights is already in existence in some parts of the world, and I know that it would be strongly advocated by those who have had the experience. I do not wish to commit myself in regard to it.

The President.—As there are two propositions, it would be well to have them written out separately. It is difficult to have an intelligent vote upon both at the same time.

Mr. Goodrich (United States).—Mr. President, I have prepared a Resolution, at the suggestion of Delegate Hall, and following the intimation given by the Chair. If it should turn out that the Conference is prepared to vote instantly on it, as, to use a Yankee word, I "guess" they are, it may clear up the entire matter :—

"*Resolved*,—That, in the opinion of the Conference, no change should be made in the use of the present masthead-light and coloured side-lights."

This does not touch the question of additional range-lights.

Mr. Hall (Great Britain).—Mr. President, I think that had better be the subject of another Resolution, which we can debate at considerable length before we act on it.

Mr. Goodrich (United States).—This you are probably prepared to act on at once.

The President.—The Delegates might desire to think of it during the recess.

Mr. Goodrich (United States).—Mr. President, I move the Resolution be adopted.

The President.—Do you present this as a substitute for Captain Sampson's Resolution?

Captain Sampson (United States).—Mr. President, I will withdraw the Resolution offered by me.

The substitute was put by the Chair and unanimously adopted.

Mr. Goodrich (United States).—Mr. President, something has been said about appending, to some portion of these Rules, definitions. I propose this for future discussion:—

"*Resolved,*—That the words 'starboard the helm' shall mean that the wheel or tiller, the rudder, and the bow of the vessel are to be turned to starboard; and the words 'port the helm' shall mean that the wheel or tiller, the rudder, and bow of the vessel are to be turned to port."

You can work your tiller by a reversible joint. That is a mere technical contrivance, but I put it in the broad sense that the wheel, rudder, tiller, and head shall go to starboard when you say, "starboard your helm."

The President.—That is not in order.

Mr. Goodrich (United States).—Mr. President, it is one of the definitions; we have passed the Article.

Mr. Hall (Great Britain).—Mr. President, might I suggest to the learned Delegate of the United States that it would be better if he would bring this forward when we come to the Division on Steering and Sailing Rules, where the expressions are used? I can quite understand the desire of the Delegate to bring this before the Conference. We know that difficulties have arisen from the use of the words "putting the helm to starboard" and "putting the helm to port," because in some countries, if it is literally translated, it would be putting the head of the ship to starboard or the head of the ship to port.

Mr. Goodrich (United States).—I thought it would come properly into the definition, but I do not know but that you are right.

The President.—Article 11 is still under consideration.

Captain Van Steyn (the Netherlands).—Mr. President, I am very much in favour of the stern-light, just as large steamers now use it, and therefore I suggest that Article 11 should be amended by adding the following:—

"Every ship exceeding 20 tons registered shall carry on her stern, and at the same height as her side-lights, an irregularly occulting white light, so screened that it shall be visible over an arc of twelve points, that is to say, for six points from right aft on each side of the ship, and at a distance of at least 1 mile."

The President.—The Conference will now take a recess until 2 o'clock.

After Recess.

The President.—The first business in order is the consideration of Article 12, "Sound-signals for Fog," &c.

The Chair desires to state that there will be a large amount of literature on this subject placed before the full Committee, and in discussing this Article it would be well to bear that in mind.

Mr. Verney (Siam).—Mr. President, may I ask when it is that these Committees will sit? Will it be during the time devoted to the general business of the Conference, or will it be out of hours?

Captain Malmberg (Sweden).—Mr. President, for my part I am strongly opposed to sitting in special Committees out of hours.

The President.—That will be a matter for the Conference to decide. I think that perhaps it would be imposing too much upon the members of the Committee to require them to sit out of hours and to sit here on the same day.

Captain Malmberg (Sweden).—Mr. President, there are two Committees, and there will not be many Delegates left during the time that these two Committees are at work. They will be at leisure to do anything they please.

The President.—The Chair is ready to entertain any proposition in regard to that.

Captain Sampson (United States).—I think, Mr. President, that if it is decided that these two Committees are to occupy the time which has been set aside for the Conference, it would be well for us to give them an opportunity to get their work up, because the propositions which are made with regard to fog-signals, I think, are very important, and there are probably several of them that would be favourably entertained by the Conference. I think we ought to know what they are before we go ahead and discuss the subject.

The President.—There might be suggestions coming from the Conference at first, and then suggestions coming from the Committees afterwards. The Chair is ready for any motions upon the subject.

Mr. Goodrich (United States).—Mr. President, of course I am quite aware of the extra burden that will be inflicted upon these Committees by sitting out of hours, but the distinction which they receive in being members of these Committees ought to compensate them for the extra burden. I take it that these are not the only Committees which will be appointed in the course of our Conference. Many other Committees will be appointed, and they will have the same burden of sitting out of hours as the Committees already appointed have. I am sure that we want the presence of all the members

of the Conference here, especially the gentlemen who have been named on these two Committees, because they were appointed, as I understand, on these Committees by reason of their special knowledge and fitness for the position.

The Committees could sit from 10 to 11 in the morning or from 4 to 5 in the evening, and they can get through a good deal of work, and not keep the members of the Conference in America so much longer as they will be kept here if the Conference is to adjourn every time the Committees are to meet. Of ccurse it makes less difference to us who are here at home than it does to those from abroad. But while we are glad to have you as long as you will stay and honour us with your presence, yet we do appreciate the feelings which some of the Delegates have in regard to getting away, especially those who wish to celebrate Christmas at home. My own opinion is that other Committees will be appointed, and that Committee work ought to be done out of hours. Of course, if there is any gentleman who thinks himself unable to do that, I will say that it would be a little unfortunate for him, and yet that, for the good of the whole Conference, he ought to be willing to sit out of hours. This, perhaps, does not come with very good grace from me, when not a member of any Committee, but still I feel in this way.

Captain Malmberg (Sweden).—Mr. President, I, to a certain extent, agree with Mr. Goodrich, that it is a great honour to be a member of these Committees. But it is a great strain, both bodily and mentally, to be sitting here four hours a-day, and then for an hour before the sitting of the Conference and for an hour after the sitting of the Conference. It is all very well and very easy for you, Gentlemen, who speak English as your native language ; but for us who are foreigners it becomes very trying, as we must fix our attention to understand fully the discussions, and then, when we have to express ourselves, it is still more trying. It is all very well if we can get through with the business in a short time, but the time we are about it is not the main thing. The main thing is that it is done well. I say, for my part, that I wish that these Committees would not have to sit out of the working hours. I may say, at the same time, that I have not the least objection to working on Friday afternoon or Saturday.

Mr. Hall (Great Britain).—Mr. President, I quite agree with the forcible remarks which have fallen from the learned Delegate of the United States as to the desirability of our having the great assistance we shall obtain from the eminent gentlemen who have been named to serve on these Committees. I would preface my remarks by saying, like the Delegate of the United States, that I also am not nominated to serve upon any Committee, therefore my remarks may be somewhat prejudiced by that fact. But I would venture to point out this. I think it may be desirable, anxious as I am that we should be able to bring our labours to a successful termination within a reasonable time—it may be desirable that we should determine, for instance, that one day, say Wednesday, should be given up to the Committees. Of course a small Committee can get through the work very much more rapidly than the Conference sitting together. That day would not be wasted, because the various Delegates could be considering their votes and the discussions on the amendments which have been proposed. I have no doubt that as we warm to our work we shall require considerable time to consider the more important amendments and suggestions which have been made by the various Delegates to the Conference. Therefore, if we were to make Wednesday a *dies non* as regards the sitting of the Conference, the Committees then would have that day. They would also have Friday afternoons and Saturdays, and I think they would then be able to cope with their work sufficiently to enable the Conference to go on and sit successively on the other four days of the week. It is perfectly true that we should lose one day by that, but I believe the work which we would be able to do amongst ourselves on that day would save a considerable amount of discussion when it came to a meeting of the Conference itself. Therefore, I would beg to move, what I think is in harmony with the general sense of the Conference, that Wednesday the Conference itself shall not sit, so that the day can be given to the Committees, and to such private business as the members of the Conference may think it desirable to debate.

Mr. Verney (Siam).—Mr. President, may I ask whether Mr. Hall only means as long as the Committees are at work ?

Mr. Hall (Great Britain).—Mr. President, only until the Committees have had an opportunity to present their Reports. But, as the Delegate of the United States has pointed out, we are sure to have further Committees appointed, and, therefore, I did not think it necessary to put in the saving clause.

Captain Norcross (United States).—Mr. President, I would further amend the motion of Delegate Hall. It seems to me that one day would give a very short time to the Committees to work in. I would suggest that the Conference should adjourn for Wednesday and Thursday both.

Mr. Hall (Great Britain).—Mr. President, perhaps I might say a word or two upon the amendment which has been moved. I can quite see the desirability of the Committees having ample time. I am sure that none of us underrate the importance of the subject they have to discuss and the very voluminous papers which will be submitted to them for their decision. But, at the same time, if the amendment be adopted it narrows the time still more in which the Conference can proceed to general business. That would only give us two and a-half working days in the week, which would be very little to cope with the work which we have to do.

Captain Norcross (United States).—Mr. President, it was merely a suggestion on my part. I do not think it will take up our time, for I am under the impression that our work could be more rapidly performed by Committees than in the Conference.

Captain Richard (France).—Mr. President, I propose as an amendment to the motion of the learned Delegate from England, Mr. Hall, that the Conference sit from 10 o'clock in the morning until noon each day, and that the afternoons be devoted to the Committees.

When the Committees shall have been formed, the Conference will probably have less to do, and may be able to finish its business, with sufficient reflection, by sitting two hours in the morning, and so allow the Committees to sit in the afternoon.

The President.—Does the Delegate from France insist upon his amendment?

Captain Richard (France).—No, Sir; I do not.

The President.—The Delegate from France suggests that instead of the system proposed we should sit in the morning in Conference, and that the afternoons should be devoted to the Committees.

Mr. Verney (Siam).—Mr. President, I would venture to suggest to the Conference that under the suggestion made by the learned Delegate from Great Britain we should practically have two days as Captain Norcross suggested.

Captain Norcross (United States).—Mr. President, I withdraw my amendment.

The President.—The Delegate from the United States withdraws his amendment. The motion of the Delegate from Great Britain is before the Conference.

Mr. Hall (Great Britain).—Mr. President, I desire to make a suggestion. Of course our object is to consult the convenience and wishes of the Delegates. I think we are hardly in a position to come to a vote upon this Resolution at the present time. I think it would be better that we should discuss the matter informally amongst ourselves and find out what is really best suited to the wishes and requirements of the gentlemen present; and if we postpone this rather important point until morning more can be accomplished. We shall then be able to discuss it amongst ourselves and find out what is essential to the Conference. I am certain that we want to do that which is consonant with the wishes of the majority of the gentlemen here. We shall be able to decide upon that better to-morrow.

The President.—Does the Delegate from Great Britain withdraw his motion?

Mr. Hall (Great Britain).—I withdraw my motion.

The President.—The consideration of Article 12 is in order.

Captain Van Steyn (the Netherlands).—Mr. President, may I ask if we understood correctly that we were to go through with all these Articles?

The President.—Have you an amendment to Article 2 which you desire to offer?

Captain Van Steyn (the Netherlands).—We have not fully discussed Article 2. I thought the understanding was that we should go through all the Articles and then come back to Article 2.

The President.—The understanding is that after the Articles have all been gone through with they are to be taken up with their amendments and disposed of the second time. Article 2 will come up again for discussion. Do you wish to make an amendment to Article 2?

Captain Van Steyn (the Netherlands).—Yes, Sir.

The President.—Do you wish to hand it to the Secretary? That will be in order. You may make the amendment and make any remarks you desire on the amendment.

Captain Van Steyn (the Netherlands).—Mr. President, Article 2 reads now: "The lights mentioned in the following Articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others, shall be carried in all weather from sunset to sunrise." I would add to that the words, "which can lead into error." So that it will read: "The lights mentioned in the following Articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others which can lead into error, shall be carried in all weather from sunset to sunrise by ships exceeding 20 tons registered tonnage."

Mr. Hall (Great Britain).—Mr. President, before we proceed to the discussion of Article 12, I beg to give notice of a new Rule which we propose to insert, and which you will find printed as Article 13, in italics, in the left column. Before I read it I beg to state what the object of it is. It has been pointed out, during the sittings of the Conference, that, of course, the Rule is rigid that a vessel may only show the lights prescribed by Article 3, and no others. It is often the case that a sailing-vessel may have her lights obscured, and she wants to attract the attention of another vessel. The gallant Delegate from France proposes that she should carry a masthead-light, but that, of course, would give no distinction between her and a steamer. So we propose to meet the same difficulty, which was so ably pointed out by the gallant Delegate from France, by providing that a sailing-vessel should be at liberty to show either a flare-up light or use a detonating signal, which would call the attention of the vessel approaching her, if the vessel was approaching her forward of the beam. Of course, if the vessel was approaching her from aft, she could show her stern-light; but in case she is afraid that the steamer which is approaching her on either bow or ahead has not made her out, either through her light being obscured by the sails or something else, she is then to be at liberty to show a flare-up light, which, at the present moment, she is not entitled to do. Therefore, we propose a Rule to be headed:—

"*Lights and Signals to attract attention.*"

The heading should be printed in the new Rules. The Rule is:—

"Every ship may, at any time, in addition to the lights which she is by these Regulations required to carry, show a flare-up light, or use a detonating signal to attract attention."

Captain Richard (France).—Mr. President, I am of opinion that the motion of the learned Delegate from Great Britain will not fulfil the requirements of the amendment offered by me this morning. The objection to these flare-up lights is this: that they last but for an instant, and at that instant it is not improbable that the attention of the other vessel may be turned in another direction.

I endeavoured to explain some of the uses of the white light at or near the truck on the foremast, and one of these is that it indicates the direction of the ship. From the red light or the green light it is impossible to say in what direction a vessel is going in a sufficiently approximate manner, and the white light would assist in determining that direction.

The result to be obtained by the motion will not be the same as that which I desired to obtain in making my remarks upon this subject this morning.

I apprehend, to resume, that a light at or near the truck on the foremast has another advantage, viz., that of giving an idea of the direction of the sailing-vessel, or an approximate idea, and this is important, because the watch officer on the steamer does not know exactly the direction of the wind, but only the result of the velocity of the wind and of the speed of the vessel.

Mr. Goodrich (United States).—Mr. President, I move to proceed to the consideration of Article 13.

The President.—If there be no objection, we will proceed to the consideration of Article 13.

Mr. Hall (Great Britain).—Mr. President, I have some amendments to make to Article 12, which we have not dealt with yet. Perhaps it would be convenient if I would state briefly the propositions which I make on behalf of my colleagues and myself in regard to Article 12. We have found that the duration of time of signals to be given in a fog was not stated. We have found, as a matter of practical experience, that is is very difficult to get sailors, and men especially who have not had a good education, to tell what is meant by the words, "a long blast or a short blast." Of course you cannot expect a man to stand with a chronometer before him or with his watch in his hand to determine upon the time, but we have thought it desirable to give some approximate duration as to the meaning of the word "long" as distinguished from the word "short." So we propose, instead of the words, "a prolonged blast," at the end of subsection (*a*), the words, "a long blast of about four seconds' duration." Then we propose to put in a new subsection (*b*), which I may read to the members of the Conference. We have thought it desirable, especially in the case where steamers were meeting one another in a fog, that a steamer should be able to give a signal to another vessel which she hears in her vicinity, "We have stopped our engines and stopped our way." It is clear that a mere signal that she had stopped her engines would be of very little assistance indeed with regard to a vessel in close proximity, because if you take a vessel that is making 20 knots an hour at full speed, and she stops her engines, she carries on that speed for a very great distance. Therefore, we thought it desirable that a steamer which was being navigated prudently in a fog, and which had acted so prudently as to have stopped her engines and stopped her way, should be able to communicate that fact to a vessel which she hears, especially when we know that she cannot be certain where the vessel is from which the signal comes. So we propose to put in this subsection (*b*) :—

"A steam-ship not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two long blasts with an interval of about one second between them."

I have no doubt that the Secretary will notice that the word "about" is inserted in the print when I hand it in. If you say "about one second," every sailor will know what it means.

The only other amendment which we have to propose upon this Rule is in accordance with the views which have been pointed out by several of the Delegates with regard to the meaning of the words "under way." We propose to substitute in subsection (*b*) of the existing Rules the words "at anchor" instead of "not under way," so as to make it clear what this signal is, and that the vessel is at anchor; because a vessel having her engines stopped with no way upon her might possibly be supposed to come under the definition of "not under way." It has been pointed out to me that I should insert "or moored," and make it read when "at anchor or moored."

Mr. Goodrich (United States).—Mr. President, at the end of Article 12, subsection (*c*), I propose to add these words, or rather to change the whole of the subsection to read :—

"A vessel when not under way shall at intervals of not more than two minutes ring the bell rapidly for not less than five seconds."

I do this in this form, although it is a little inconsistent with the suggestion of the learned Delegate from Great Britain, so that the whole subject may be brought up in its various phases. If we adopt the suggestion of the English Delegates upon the other section, a part of this will be improper. The chief point in my suggestion is in adding the words, "rapidly for not less than five seconds." Captain Norcross says that the proper words for me to use would be "ring away of the bell." I do not entirely understand the phrase. It is new to me. The point about that is that there is no instruction in any of the Rules as to how that bell should be rung by any vessel not under way, and if there was a clear instruction in this Rule that the rapid ringing of the bell at intervals of not more than two minutes should be understood as a vessel not under way, it would be an advantage. I understand there is no custom on this subject; that some toll the bell, some ring it rapidly, some slowly, some one or two strokes, and even three strokes; that there is now no universal rule or custom regarding the manner in which the bell shall be rung.

Captain Sampson (United States).—Mr. President, I would suggest that it seems to me we are hardly taking advantage of all the possibilities of protection for ships at sea about this matter of signals. The signals as laid down in the present Rules, which have been improved in the suggestions which have been made by the learned British Delegate, seem to me to admit of still more improvement by making the signals or sounds used mean something more than the mere presence of a vessel making the signal. It appears to me to be possible by a fog-signal to indicate the course which the ship making the signal is steering or is heading. If that is the case it would help the matter very much to adopt some such system of signals, which, of course, would be necessarily as simple as possible, but to have the ship making the signals by a combination of a long and short blast, or by a blast given at unequal intervals of time which should be prescribed, indicate simply that she was steering north, south, east, or west, or indicate her course within four points. In that event, the signal would be much more serviceable than it is at the present time.

Mr. Goodrich (United States).—Mr. President, it may not be out of place for me, at some length, to trouble the Conference with some views which proceed from the body which really called this

Conference into existence. I refer to the Maritime Exchange of the City of New York. I have in my hand a paper from them, a part of which I will present to the Conference. I will hand it to the proper Committee. Perhaps the opening portion of it may touch the vanity of my brother associates as it does my own, and I will read it:—

"All peoples of the earth may be congratulated upon the assembling of this august body, to act for promoting the safety at sea. In its beneficent object there is a community of interest throughout the world. Whatever the number of vessels each nation has at sea in common they traverse the ocean, not only encountering its perils, but menacing each other when moving in fog. The increased number, size, speed, and rivalry of steam-ships have largely added to the danger of collision, and all nations are interested in reducing the peril to a minimum. Whatever else the Conference may act upon, among its prime purposes is to fix upon some means, the simpler the better, by which vessels invisible to each other in thick weather may indicate the direction in which they are moving, and thus diminish the chances of collision. All other subjects before the Conference, however important, are subordinate to that of reducing to the lowest possible limit this greatest peril of the sea.

"Notwithstanding all objections to signals by sound, the fact remains that the navigator in thick weather can be communicated with through his ear only. Through hearing alone can he learn the presence or the direction of a vessel invisible to him. Therefore, until some better means, as yet unknown, be found, it seems plain that, for intercourse, signals in fog must be by sound. A prime requisite obviously are universality and intelligibleness. Uniform fog-signals should be obligatory upon all crafts in all waters open to sea-going vessels, in ports as well as at sea.

"The meaning of any signal should be instantly, fully, and unmistakably apprehensive to the hearer, whether he be a scientific navigator or an unlettered seaman."

Then comes a suggestion, as follows:—

"Many methods, more or less objectionable, have been suggested to meet the requirement. Among these are—

"1. A system of four signals for steamers in fogs. One blast of the steamer's whistle to signify that she heads north; two, an easterly course; three, a southerly; and four, a westerly course.

"This seems fatally defective. It is too easily confounded with the present perfect system of helm-signals. The hearer could not be certain whether one blast indicates a northerly course or a helm to port; whether two signify an easterly course or a starboard helm; or whether three mean that the steamer signalling is backing full speed or heading southerly. The hearer would be doubly in doubt, if apprehensive lest his vessel may have been made out by the other.

"2. Long and short sounds, in various combinations more or less elaborate. To them the same objections apply. One, two, and three blasts respectively have at least two significations, liable fatally to confuse the hearer.

"Moreover, the chances are at least equal that in a storm the ear would not distinguish between long and short blasts, or accurately determine their number. Long blasts faintly heard to windward against a gale might come to the ear as a succession of short sounds. Course-signals misunderstood would tend to increase rather than diminish the dangers of collision.

"3. Series of blasts sounded on the principle of ships' bells: one, signifying a northerly course; two, a north-easterly; two and one, an easterly course, &c. The same fatal objections apply to this. One, two, and three blasts respectively are identical with helm-signals. In many cases the hearer could not judge accurately as to the number of blasts sounded. A signal of eight separate sounds on this principle, however effective at close quarters and in a calm, might readily be misinterpreted in even half a gale as seven, six, or a less number, and provoke the collision it was designed to prevent.

"A strong objection to most plans proposed is the multiplicity of the signals."

After that comes the following:—

"In my opinion the Code should embrace but four signals, indicating respectively that the vessel sounding them is on a northerly, an easterly, a southerly, or a westerly course. Preferably, the sounds should be produced by mechanical means to insure uniformity and power—steam-ships with steam and sailing-vessels with compressed air—respectively indicating by the sound whether it come from a steamer or sailing craft. Apparatus can be carried which, by the simple turning of a crank, will make the signals automatically, and be instantly set to any course.

"Nearly all the large steamers carry two or three steam-whistles in combination. I would therefore suggest two (or three) shrill whistles or fog-horns of different tones; northing to be signified by the ascending scale; southing by the descending scale; easting by a single high note, followed by the others sounding together; and westing by all sounding together, followed by a single low note. The diagram will illustrate the Code with two signal whistles.

"To three whistles, or horns, the same principle applies (see second diagram). Northing (ascending scale) and southing (descending scale) each consist of three notes; easting and westing by two, the former commencing and the latter ending with a single note."

Then he refers to musical signals, which, I believe, we have been supplied with in the very elegant forms of a scale and picture.

After reading this I present it to the Conference as a Memorandum of the Maritime Exchange of the City of New York, to whom we are greatly indebted for the labours which they have expended in this matter.

Mr. Hall (Great Britain).—Mr. President, I should be glad to be allowed to hand in to the Conference a paper which is a Report with regard to indicating the course by sound-signals, and

which is a Report of replies made in answer to a letter which I will read to the Conference. It was thought desirable, having regard to the great importance of this subject, to get the opinions, so far as our Committee could, of all the representative bodies throughout Great Britain, and to get the opinion of men of experience in regard to this matter, because it is more a question for practical seamen than anybody else, as to the advisability of adopting more sound-signals. The Board of Trade issued a letter, which I will read in a moment, in March of the present year, and caused it to be sent to forty-four of the principal firms of ship-owners and five ship-masters and Seamen Societies. Each firm of owners was invited to obtain the opinions of six of their most experienced masters upon the questions printed in italics at the head of the letter.

I will read the letter, which is as follows:—

"The Committee are desirous of getting the opinion of real practical experienced seamen, people who know equally what is likely to be of use and what is impracticable—people on whose acts at a trying moment the safety of the passengers and the ship depend—these are the men who alone know the present difficulties and dangers, and are the best able to judge whether any scheme, however good its authors may think it to be, will add to or lessen these dangers, and we shall not proceed further in this matter until we have the opinion of these men.

"Please let me impress on the minds of your captains, through you, that the inclosed papers do not touch on the Steering and Sailing Rules, nor do they touch on the question of lights to be carried by ships; the inclosed papers touch on one point, and on that point alone are we at this moment desirous of opinions. The point is stated at the head of my letter, and is printed in italics."

The question referred to in the letter is this:—

"Is it practicable, and, if so, is it advisable, to introduce some system of course or route indicating sound-signals to be made by steam-ships under way in fogs, mist, or falling snow, when neither can see the other?"

The members of the Conference, when they see this paper, will find the names of the firms who were consulted given. I think I may say that there was not one leading firm of ship-owners in the United Kingdom which was not invited to give the result of the nautical experience of their most experienced men, and it was responded to in the manner which was to be expected of such men. They sent in exhaustive replies to the question, which were tabulated. We have got here in the Appendix the opinion given of all these men, and the results are given in a tabulated form. Of course, I do not propose for one moment to occupy the time of the Conference in a discussion as to the desirability of any proposed course in detail, but I think I should say to the Conference that whereas the proposition was before all these various bodies, the general summary of the replies is as follows:—

There were received from masters who were opposed to the introduction of any compulsory system of sound-signals, 119. From owners and Societies who were also opposed to the introduction of any compulsory system of sound-signals, 10. Masters who advocate the adoption of a few simple signals, chiefly those required by Article 19 of the Regulations for Preventing Collisions at Sea, 48; and owners only 2. Of the masters who advocate the adoption of a more complete system of signals there were only 28, and of Seamen's Societies 1 only reported in favour of it.

The chief reasons given by those who object to the introduction of any system of fog-signals are the confusion they would cause in crowded waters, the difficulty of locating sounds in fog, the false confidence they would give to officers in charge of vessels using them, and the considerable degree of skill and experience necessary to prevent the possibility of mistake in the event of any complex system being adopted. For instance, a vessel might signal that she was on a northerly course; but that knowledge would not be of very great assistance unless you could be certain how she bore. Another objection was to the false confidence it would give to officers in charge of vessels using the signals. And, lastly, the considerable degree of skill and experience necessary to prevent the possibility of mistake if a complex system was adopted. The last ground, it is obvious, no doubt, to the Conference, is one of importance. Of course, you can have the officers of the Navy taught almost any complex system. But in legislating and drawing Rules we have not only to think of them, but to think of the second and third rate officers of the small coasting-vessels, men on small coasting-vessels, men who are not of very bright and clear intellect, &c. It is for these reasons that opinions have been obtained, which I have the honour to present to the Conference, and which will be laid upon the table, and then handed to the Committee.

Mr. Goodrich (United States).—Mr. President, I might give another reason. If a vessel was approaching the one giving the signal, although she gave four signals, the approaching vessel might only hear three of them, or two of them, which would make it still more confusing. Some time in August last, in view of the approaching Conference, the Navy Department of the United States directed the trial of sound-signals to be made on the United States' man-of-war "Yorktown," and the trial was made in September. There will be printed and laid upon the tables of the members of the Conference, in due season, a Report of this. I have here the galley proof. I may say, for the information of the Conference, that there were three systems tested. The fog-signals were those by Mr. McWade, the Waldecker system, and the Folger system. Through the same source there has been obtained the trial of running lights, that of Lieutenant Fletcher, which includes the question of range-lights; the Fletcher system modified; a third system of running lights with an after range-light; fourth, the present masthead-light, and two sets of running side-lights; in other words, an auxiliary coloured light on each side; fifth, to substitute the white lights for the green lights in the proposition already given.

I will say that this will be printed and laid on the table in a very few days.

Dr. Sieveking (Germany).—Mr. President, I want to state just a few words in regard to an amendment which the German Delegation have to propose to Article 12, which only refers to small vessels and small craft. It is on the same principle that I tried to explain this morning about the advisability of not making the side-lights compulsory on vessels of a certain small size. We intend to give notice of the following amendment:—

"(*d.*) Vessels of less than 14 tons gross registered tonnage shall not be obliged to be provided with the instruments above described, but shall make with any other instrument an efficient sound-signal, at intervals or not more than two mniutes."

The same difficulties which were in the way to prevent the small craft from keeping up the regulation lights would also prevent them from giving these signals which are prescribed by Article 12. In fact, I am told that experience has shown that they are not given by these small vessels while there are other means at hand which a practical man would consider to be quite sufficient to indicate the presence of these vessels. We propose also, and it will facilitate the whole Article, to strike out the words, "to be sounded by a bellows or other mechanical means," and leave only the words, "an efficient fog-horn." We have thought it advisable to strike out these words.

Mr. Hall (Great Britain).—Mr. President, we regret what has fallen from the learned Delegate from Germany with regard to striking out the provisions that a fog-horn should be sounded by a bellows or other mechanical means, and I hope he will not press the amendment for this reason: We have found from experience that if it were left to men to blow the horn with the mouth and the men got tired, the sounds would become faint, and they really could not be relied upon at all. Therefore it was that the words, "sounded by mechanical means," were inserted, because then you have got the same volume and strength of sound at the beginning and at the end, while if a man had to blow with his mouth he would get tired or lazy, and would not give forth a sound that could be heard at any proper distance. I quite agree that some provision should be made for small vessels, which, of course, could not be provided with steam-whistles or power like large steam-vessels.

Captain Mensing (Germany).—Mr. President, I would like to reply to the question of the learned Delegate from Great Britain with regard to the fog-horn. We have found in our country that the best fog-horn is not the simplest one at all. We have found that the people on board generally take those fog-horns and use them for blowing the fire and for other purposes. The instrument consists of a little tongue made of steel, which is made to vibrate in a little plate of brass. It goes from one side to the other, and if there is fair play the sound is conveniently strong, just as strong as it can be made by the lungs. But the moment this instrument is left on board, this little steel tongue becomes rusted, and the brass plates become covered. Besides that, we all know that a pair of bellows may very easily become "holey," and what are you going to do then? We have them of rubber, and we have them of leather; and I have always heard complaint made of these same bellows whenever used on board of a ship. If I am not mistaken, the greatest number of these complaints come from Great Britain. At least, I remember that quite a good many examples were published in the "Nautical Magazine." Of course, the "Nautical Magazine" is not an authority, but I am simply stating that the experience of Germany has confirmed this statement in such a degree that we thought it was necessary to come back to the most simple definition, and to state that we want an efficient fog-horn on board. We see that there is great difficulty in the way, and that this horn should be described so that the sound to be produced should be of sufficient strength. But it is very difficult to do that. We have no unit and no standard for that purpose. Therefore, we thought it would be better to leave it as it is, and say "an efficient fog-horn;" for by an efficient fog-horn could only be meant such a fog-horn as could be blown by a man. That is to say, that it would not be an efficient fog-horn if on board a vessel there was not a man understanding fully how to blow this instrument.

Captain Van Steyn (the Netherlands).—Mr. President, I found that this Article precludes all other means but steam from being used for a steam-whistle, while at the same time the sound may not be intercepted by any obstruction. A serious drawback is the condensation of the steam, which generally renders the apparatus unfit for use during a few seconds, and it is preferable that compressed air should be applied instead of steam. Arrangements for the construction of compressed air might easily be made on board of steam-ships.

So I suggest that the beginning of this Article 12 should be altered to read, "A steam-ship shall be provided with a steam-whistle or other efficient sound-signal, sounded by steam or compressed air," &c.

We find that on the steam-ship under steam it must be sounded at intervals of not more than two minutes. Now, with the great speed of vessels this two minutes is rather too long. So I propose to read it, "at intervals of not more than one minute, a prolonged blast of six seconds."

We propose that a sailing-ship under way shall make with her fog-horn at intervals of not more than one minute, instead of two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, if possible of six seconds' duration. In subsection (*c*) we would change the words "two minutes" to "one minute."

Mr. Hall (Great Britain).—Mr. President, I think it is a valuable suggestion which the gallant Delegate from the Netherlands has made to consider whether we should reduce the interval of time within which the signal should be given. I should heartily support a proposition to discuss the question.

Captain Malmberg (Sweden).—Mr. President, the beginning of this Article provides that a steam-ship shall be provided with a steam-whistle or other efficient steam sound-signal so placed that the sound may not be intercepted by any obstructions. I am of the opinion that steam-ships should not be allowed to use "sirens" for sounding fog-signals in narrow waters and in close proximity to the coast, for the reason that they might be mistaken for signals made by light-houses or light-ships. Such mistakes have frequently been made.

Captain Mensing (Germany).—Mr. President, I would like to ask a question of the gallant Delegate from the Netherlands, whether he is aware of the fact or whether he has made any experiments, or noted any experiments which have been made, showing how long it will take the tympanum to become insensible to any sound after such a powerful fog-signal has been blown very near it. I think that it is all very well to have signals for these men who are watching for them; but at the same time, according to my belief, it would be a most dangerous practice; because if a man has to hear for six seconds—as I believe has been proposed here—such a powerful signal as a steam "siren" on board one of our iron-clads, I believe that he would be as good as deaf for the next twenty seconds, and that only gradually his hearing would be restored. That at least has been my experience. Therefore I think it will be much better to put even a lower limit to the signal, and forbid that steam-whistles be used. The best means of safety to the people on board is to thoroughly understand the signals which are made.

Captain Van Steyn (the Netherlands).—Mr. President, in our country some experiments have been made, but I did not mention them because I am chosen as one of the members of the Committee on Sound-signals, and I did not want to waste the time of the Conference on this subject.

The President.—Article 13 is now before the Conference.

Dr. Sieveking (Germany).—Mr. President, the German Delegation intends to propose an amendment to this Article. I think there can be no doubt but that fogs, mists, and snow are the greatest dangers which a ship can meet with on the sea, and, therefore, we are very strongly of the impression that, if it should be possible, the Rules of the Road should be made more efficient and more stringent as to how a vessel is to behave in thick weather. Now, this Rule as it stands, "Every ship, whether a sailing ship or steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed," is not necessary at all. First of all, it is very difficult to say what is moderate speed. Sailors, at any rate, do not know it, for they have different opinions about it. Courts of Law judge of it in very different ways. I will cite Mr. Marsden, who is said to be a very good authority in the matter, and he says that "moderate speed" is a relative term, and cannot be defined so as to apply to all cases. Then, if it is a relative term, and if it is to depend upon the circumstances of a particular case to decide what is to be considered as "moderate speed," I think it is quite clear that the Rule is not good, because it is not clear and positive. Then, on the other hand, the Article as it stands has a very great disadvantage, and that is this: our sailors are led to think by this Article that if they only slacken the speed a little they have done what the law requires.

It is quite true that it is stated in Article 24 of the Rules that nothing contained in these Rules shall exonerate any ship or crew from observing and taking all precautions which may be required by the ordinary practice of seamen. But because there is here given a certain Rule as to the behaviour of a ship during a fog, they are more apt to think that this is the only Rule to be followed. I have, in several cases, learned that sailors, when it was said that their speed had been too great in a fog, said: Well, Article 13 only says that we were to go at a moderate speed. It allows us to go at a moderate speed; and our speed, which generally in clear weather is 18 or 20 knots an hour, was reduced to 16 knots an hour. This may be, of course, a misinterpretation of the Rules, and that is what the Courts of Great Britain have always pronounced it to be. But still, as the Rules are written for common sailors, I think there is much in this matter that is worthy of consideration whether it should not be amended. It has been said by great authorities that vessels ought to go at such a rate of speed only as to allow them to keep their steerage-way. In speaking to nautical men about this matter, they have said to me: Where is the greater danger? If we meet a fog we know that the fog is falling in our way, and perhaps we have got a quarter of a mile or half a mile to go through it; then the atmosphere will be clear again; and then, perhaps, another fog is falling. Now, if we go at a very slow speed we will remain so much longer in the fog, and the danger will be greater than if we go through the fog as fast as we can, particularly if it is in a track where there is scarcely any probability of meeting vessels. In fact, I think it may be said that, in general, the principle of our fast steamers in plying the ocean is that in thick weather they are to go at as fast a speed as they can. That is a principle which certainly is not sanctioned by us, nor ought it be sanctioned by the law; but its practice is followed. If it only is said to go at a moderate speed, they say: A vessel going at the rate of 5 or 6 knots can just as well come into collision and cause the same damage as she would cause if she went at the speed of 18 knots; and that, at any rate, they would run the same risk, if not a greater risk, of being run into by another vessel.

I think it could not be possible for them to get out their anchors and stop their way altogether. I think nautical men would say at once that would be impossible. So we think that this Article, instead of being of any use, only leads to consequences which ought to be avoided. We propose to make the Rules more stringent by striking out this Article altogether. Now, at first that would look as if we intended to dispense with the necessity of taking precautions in a fog. Of course that is not our intention. The result of striking out this Article would be that it would be left to the circumstances of the case and to the Courts to decide whether all the precautions had been taken in a fog which can possibly be taken, either by slackening the speed or by stopping. Then, in order to induce seamen to believe that, even if this Article were left out altogether, they were not at liberty to do what they liked with their vessels, insert a clause in Article 24, or elsewhere, which would specially point out that, in case of a thick fog, every master of a vessel should take all the precautions which could be possibly taken, so as to enable the Courts then to decide, and say that more precautions could have been taken, and more could have been done than has been done, and to make the duties of vessels in a fog or in falling snow as heavy a responsibility as it possibly can be. That is the intention of the amendment which we intend to propose, and which we beg leave to give to the Conference.

Mr. Goodrich (United States).—Mr. President, I am afraid my friend will fall out of the frying-pan into the fire. The Courts have already construed this Rule. While we all know that there is a double Tribunal to pass upon these Rules, viz., the sailors and the Courts, yet after all, the words

"moderate speed" have now a pretty definite meaning. I remember that my friend cited Marsden. In that he will find a reference to the case of the "Europa" and the case of the "Batavier." In the "Europa" case the Court said, substantially, that a steam-ship must be going at such a rate of speed as that, when she sees another vessel in a fog, she can avoid her.

If she cannot do this without going at the rate of 5 miles an hour, then she must go at the rate of 5 miles an hour. I know of one case decided in the American Courts where 5¾ knots an hour was held to be an excessive speed in a fog at the mouth of New York Harbour. Dr. Sieveking, in his experience as a member of the Court of Admiralty, and other gentlemen who are in our own profession, will know that this subject has been very seriously discussed in the Courts. I took the precaution during the summer to have a Circular sent to the ship-masters in order to get their ideas on this question of moderate speed. In reply, I received letters from the ocean flyers, and from small steamers and from sailing-ship masters, and I noticed a curious fact, that every man answered according to the speed of his vessel. A vessel that would make 20 miles an hour thought 16 miles an hour was moderate speed. A vessel whose maximum speed was 16 miles an hour thought 12 miles an hour would be a moderate speed. The man whose maximum speed was 10 miles an hour thought 7 miles was moderate speed.

But I think we have got a construction now which the Courts, and the lawyers, and ship-owners, and ship-captains, and sailors understand, that their duty in a fog is to go at a very low rate of speed, as low as is consistent with steerage-way. Now, as to a sailing-vessel, our Courts have held in one case that a sailing-vessel was at fault in proceeding at 4 knots an hour, although she had her foresail clewed up.

I do not believe, on the whole, that you can make a Rule that will better this Rule. Of course, I am taking into consideration the fact that this Rule has been in existence and is pretty well understood by the sailing men of the world; and if you attempt to change the law, unless you are quite sure of getting something better, you will be very much in the condition which I described in the opening of my remarks as jumping from the frying-pan into the fire.

Mr. Hall (Great Britain).—Mr. President, I might, perhaps, state very briefly what I believe the English law is upon the subject. On this point, as indeed upon nearly all the points, the Courts of Great Britain are much in accord with the Courts of the United States. The principle which has been laid down in our Courts with regard to what a moderate rate of speed is, is that when a vessel is in a fog, a moderate rate of speed means that she is only justified in keeping such an amount of way as will give her the command of her helm. She is entitled to keep steerage-way on, but she is not entitled to go at a faster rate of speed than is necessary for her to keep that steerage-way. That, I remember, was laid down by the Supreme Court of the United States in two cases. These are the same principles which have been laid down by our Higher Courts of Law in Great Britain. I confess myself I should be very sorry to see any change made in this Rule. I should be very sorry to see this Rule obliterated, because, although for a long time there were doubts in the minds of seamen as to what its meaning was, there has been for a long time such a series of decisions, all pointing to the same results, that I think now the Rule is well understood among all seamen, certainly in Great Britain.

Captain Mensing (Germany).—Mr. President, I think if I should describe, in a short way, the process by which we have come to this startling position, it would be better understood. As my distinguished friend has pointed out, we came here with the intention of being in favour of more stringent laws. We knew, at the same time, that this law was one which was not, perhaps, just as any of us would wish, because, in our opinion, it pointed out the wrong man. I do not believe there is any captain afloat who would like to go at full speed in a fog; but ships are built of which the public and the owners and the world expect speed. They expect them to go fast. Now, what are these ships going to do? I would like to hear of any Company that would give such stringent laws as Mr. Goodrich and the eminent Delegate from Great Britain have told us about. If there is any law, or any Company that has given an order to their captains to go at a speed which is just sufficient to keep steerage-way I would like to hear of it. I refer now to some researches which have been going on in Great Britain by the Royal Society of Arts. These men have taken the trouble of having before them a large number of English shipping captains and English firms, giving to them the promise at the same time that they would not publish their names, and asking them to give the results of their experience. So far as I know, the overwhelming number of these ship-owners, masters, and captains have said that ships were going at full speed—that is to say, practically at full speed. It would be very well for us if you could enforce the Rule about going at a speed sufficient to keep steerage-way; but the captain will say: My ship will not steer if she does not go 15 or 16 knots an hour. What are you going to do then? There are, of course, some fogs which are not very dense, and there are others which are so dense you cannot see anything. We thought at one time that ships should go very slow in a dense fog, and then gradually get up and go at a faster speed when the fog would let them. Now, in such a case as this, the captain would come up on the deck and tell his mate: Do you call this a fog? I do not. Then who is to decide about it—the Courts?

I may say right here that I do not know of any case to which this language refers particularly; that is to say, on the high seas, where two steam-ships have been in collision farther away from the land than 50 miles. I do not know of any case; I have been trying to find one, but have not been able to do so. The only case ever known was the case of the steamer "Britannic." Then we thought of establishing a rule that steam-ships should be allowed to go at more than a moderate rate of speed when they were out in the open seas, but to go very slow when they were within the limit of 50 miles. Still there are a great many dangers, and we thought that would not cover everything. For instance, on making the Channel, without having had any observations for quite a number of days, if I slow my ship down to the rate of 4 knots an hour, I do not know where I am. I am swept by the tide to the north or to the south, and I am not sure which way I am sailing. But if I go fast I shall certainly know about my position. Now, I am very grateful to hear how stringent these laws have been made

in Great Britain; but still I believe that I can point out to my friends cases of negligence. I am perfecting and will lay on the table here a list of a number of ships of Great Britain that have been run aground at full speed, and where the Courts have decided that these captains were to blame because the ships were run aground at full speed without using their leads. I do not believe I make any mistake when I say that from twelve to twenty ships every year are lost in that way when the decision of the English Courts has been that they have been run aground at full speed without using their leads. But how is it to be found out? I think we should do very well if we should try to enforce the Rule here, but we are not able to enforce it. We cannot enforce it. To give an order without being sure that it will be enforced and carried out is, I think, a very dangerous thing to do. Dr. Sieveking made the remark that we would propose this amendment, and so far as our Delegation goes we have unanimously adopted it, after mature consideration, and we have thought that it is the best we could do under the circumstances.

Mr. Goodrich (United States).—Mr. President, my friend, the gallant Delegate from Germany, seems to think that my brother Hall and myself have stated the law too strictly. Let me read ten lines in the case of the "Europa," decided by the English Privy Council:—

"This may be laid down as a rule on all occasions, fog or clear, light or dark, that no steamer has a right to navigate at such a rate that it is impossible for her to prevent damage, taking all precaution at the moment she sees danger to be possible; and if she cannot do that without going less than 5 knots an hour, then she is bound to go at less than 5 knots an hour."

In the case of the "Batavier," Judge Lushington, than whom a greater Admiralty Judge never sat on the Bench, said:—

"That whatever rate of speed a steam-ship was going, if going at such a rate of speed as made it dangerous to any craft that she saw or should have seen, she had no right to go at that rate."

The law can be laid down no stronger than that, and that has got into the minds of sailors, Courts, and lawyers, and the "moderate speed" is a definite idea. Of course I know that captains disobey it. I know that every man who crosses the Atlantic knows that they ride through a fog at full speed. Once in a while they do check their speed a little. I remember counting the revolutions of a steam-ship this summer. I think the full speed was 63 revolutions, and I believe at one time that, in going through a dense fog, they did get down to 60 revolutions. But I think it is very unwise to change the Rule the construction of which has been definitely settled, and it seems to me that we had better let well enough alone.

Captain Mensing (Germany).—Mr. President, I would like to say that it is not my intention to question in any way the information I received as to how the law stood in America, but I only want to point out that I was fully aware that it was not obeyed. Mr. Goodrich had the kindness to point out that this was the law in the United States and England. I believe in other countries it is not so. With us it is. But I have seen quoted a decision of another country, which certainly has as good a right to think that their course is right as well as anybody else, where a ship was run down to 63 revolutions, when the full speed was from 68 to 70 revolutions. There is one other thing I want to mention. Mr. Goodrich seems to think that it is not easy to get out of the way of a fast-moving vessel. According to my idea that is not of much significance, because, if I see any vessel, I can get out of the way in just as short a space of time going at full speed as going slow.

The President.—Are there any further amendments to Article 13? The next Article for consideration will be Article 14:—

"*Steering and Sailing Rules.*"

Mr. Hall (Great Britain).—Mr. President, before opening up this branch of the Rules it would be in order to hand in a formal amendment which I have foreshadowed this morning, a definition of steam-vessels, to include vessels propelled by electricity and otherwise. I will make it to read: "A steam-vessel shall include all vessels propelled by machinery."

Mr. Goodrich (United States).—Mr. President, I move we adjourn.

The Conference thereupon adjourned until Tuesday morning, 22nd October, 1889, at 11 o'clock.

Washington, Tuesday, October 22, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the chair.

The President.—Before proceeding with the order of the day, the Chair wishes to announce that Mr. G. de Weckherlin, Minister for the Netherlands, appeared yesterday and took his seat as a Delegate to this Conference.

When the Conference adjourned yesterday, Article 13 of the Rules of the Road was under consideration.

Mr. Goodrich (United States).—Mr. President, before we proceed to the consideration of the Rules, I move the appointment of another Committee, and present the following Resolution:—

"*Resolved,*—That a Committee, to be known as the Committee on Systems and Devices, shall be appointed by the President; and that it shall be the duty of the Committee to examine and report upon any system or device connected with the business of the Conference, of which a written description, illustrated by plans whenever necessary, is furnished; and that only such as are favourably reported by the Committee shall appear before the Conference."

The necessity of having this Committee is this: My colleague on my right announces that a flood of devices and systems is beginning to pour in upon him, and no doubt, as we open the letters upon our tables, we shall find that we are in the same position. If we have a Committee to which all these plans for lights and signals in regard to steering and other matters shall be presented, they can examine and see whether there is sufficient merit in the matter proposed to render it proper to bring it to the attention of the Conference. That is the purpose of this Resolution. It will also relieve the two important Committees already appointed on lights and on sound-signals of a great deal of unnecessary labour.

The Resolution was put to the Conference and unanimously adopted.

The President.—Article 13 is before the Conference.

Mr. Hall (Great Britain).—Mr. President, as we have now come to a different branch of the Rules, and we are about to deal with the Steering and Sailing Rules, I beg leave to give notice of an amendment to or an addition, which we beg to propose to the Conference; and I would state very shortly what our reasons are. The members of the Conference will have observed that in the Steering Rules, of which there are a considerable number, the words "risk of collision," is the motive point; these Rules only applying when "risk of collision" exists. Although we know it is impossible to frame a definition which will include every case in which there is "risk of collision," yet we have thought, upon advice which has been given to us from a very powerful Committee which met to discuss this point, that it would be most desirable, if we could, to do something or to pass something which would call the attention of sailors to the all-important point of watching the bearings of vessels, and of pointing out, especially at night, the only accurate way in which a seaman can judge of the actions of another vessel of which he only has a light in sight. The only really accurate way is by watching carefully the compass-bearings of that vessel; therefore it is that we propose to put in a preliminary paragraph, which will not be an Article under the Rules of the Road, but which will be simply a paragraph for the guidance of seamen, especially in following the subsequent Steering and Sailing Rules, in which the words "risk of collision" exist.

I want to make it clear that we do not endeavour to give an exhaustive definition of the words "risk of collision," because, as has been pointed out by eminent Judges, it is imposeible to do anything of the kind, as it must depend upon the circumstances in each particular case. But we apprehend that certainly we may, at any rate, be doing something to lessen the large number of collisions which undoubtedly do occur, if we can impress upon the minds of officers the all-important point of watching the compass-bearings of vessels which they see at night, or by day. Therefore, we propose to put in at the heading, before Article 14, and after the words "Steering and Sailing Rules," these words: "Preliminary"—"Risk of collision may, for the purposes of these Rules, be deemed to exist if there is not absolute certainty that if the ships keep their respective courses they will pass clear of each other. Such risk can best be ascertained by carefully watching the compass-bearings of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist."

I think there will be a consensus of opinion amongst nautical men upon this fact, that watching the compass-bearings is the best method by which you can tell what the action of another vessel is. If we can once instil this into the minds of officers in charge of vessels, then I think we should be taking a very long step towards lessening, at any rate, the very great dangers which exist at the present time from risk of collision.

Mr. Goodrich (United States).—Mr. President, in this connection, and perhaps as an introduction to the Articles under the head of Steering and Sailing Rules, I propose the following amendment:—

"The words 'starboard the helm' shall mean that the wheel, rudder, and bow of the vessel are to be turned to starboard; and the words 'port the helm' shall mean that the wheel, rudder, and bow of the vessel are to be turned to port."

Yesterday, when speaking of this proposition, I used the word "tiller," and I think it would be well to add it, because there are still vessels which use the tiller, particularly small vessels; and it is very easy to make a tiller do its work in the same way as a wheel.

The President.—Will you be kind enough to suspend your remarks and allow the Resolution to be read in French?

The Resolution was thereupon read in French.

Mr. Tsukahara (Japan).—Mr. President, will you allow me to make a slight suggestion before we pass from Article 13? It seems to me that all vessels of every description should go at a moderate speed in fog, mist, and falling snow, or thick weather. Suppose that a vessel is going at the rate of 16 or 18 knots an hour, and she slackens to 15 or 16 knots an hour; or suppose that a vessel is going at the rate of 7 or 8 knots an hour, and she reduces speed to a still lower rate, it may be said that such a vessel is going at a moderate speed. It may be said that she has moderated her speed. I think that every vessel should go at a speed of not more than 10 knots an hour on the coast, and when at sea should slacken her speed not to exceed that rate. Therefore, I wish to bring forward my suggestion, and I propose to add another section to Article 12, as follows:—

"Every vessel, whether a sailing- or steam-vessel, when running on the coast in fog, mist, or falling snow, or thick weather, should go at a speed of not more than 10 knots, and when at sea should slacken speed to a rate not exceeding 10 knots as soon as a signal from another vessel is heard."

Mr. Goodrich (United States).—Mr. President, now to return to Article 13. I want to offer the following amendment:—

"And every vessel which hears a fog-signal from another vessel shall stop until she has determined the course of such vessel."

Captain Shackford (United States).—Mr. President, we have that now in Article 18.

Mr. Goodrich (United States).—I think not exactly in that way.

Mr. Hall (Great Britain).—Mr. President, perhaps I should say one word upon the amendment, or rather the Resolution which has been offered by the learned Delegate of the United States with regard to the uniform use of commands or orders to the helm, because that is a difficulty which has been foreseen by all of us for a long time. It has been foreseen for this reason, that in one country the order to port the helm means to put the helm to port, and in other countries the order to put the helm to port means to put the ship's head to port. We have found a very great difficulty arising from that. It has also been found that, if the order is to convey the same signification, it cannot possibly apply equally to tillers and to wheels, because, in a very great many cases, if you put the tiller to starboard, the vessel's head goes off to port, whereas, in a majority of cases, the wheels are so fixed that if you put the wheel to starboard the vessel's head goes to starboard, so that you have the difficulty to deal with that the action of the tiller is the converse of that of the wheel when fitted in the ordinary way.

It is for that reason that in the Rules of the Road at Sea, which we drew up originally in consultation with France, we purposely avoided using the words, "put the helm to starboard" and "put the helm to port," because we knew it would create difficulty in the construction and interpretation of the Rules. Therefore we avoided it, as we thought best, by not using the words, "starboard the helm" or "port the helm," but by saying "shall alter her course to starboard" or "shall alter her course to port." It is clear that by using these words the order can be obeyed either with the tiller or the wheel without having two separate sets of words. As long as the order is as it is now, that the vessel is to alter her course to starboard, then she must move her tiller or wheel in such way as will alter her course to starboard. These words, I think, give the solution of the difficulty. They were put in for that purpose. I do not think, certainly not in my own experience, that I have ever heard it suggested that there is any difficulty in ascertaining what the meaning of these words is. How it is brought about is another question; whether it is by putting the tiller to port or to starboard; but so long as we keep the order in the words that have been used hitherto, describing how the vessel's course is to be altered to starboard or to port, we get over the difficulty of there being different meanings of the words, "port the helm" and "starboard the helm" in different countries and in different languages. I am reminded that originally we did use the words, "the helms of both vessels should be put to port," and it was because of the difficulty that we found arising from the construction of these words that they were deliberately altered and made to stand as they now do.

Mr. Goodrich (United States).—Mr. President, of course this is not the time to fully discuss the subject indicated by the proposed amendment, but I have presented it here at the request of a number of gentlemen for the purpose of having the matter fully discussed. I do not think it is a question of the construction of a Rule which is involved. The construction of the Rules by the Courts under the present Rules, or under the old Rules, would be attended with very little difficulty. It is the question of the order upon the deck of the ship to which the amendment addresses itself. It seems to me wise that the order which should be given to the helmsman should be the same as is to be used in the Rules, that "port the helm" should mean that the vessel's wheel and head and rudder should go to port. It is a question how that order can be conveyed to the helmsman. If it possibly could be conveyed in the same language that is used in this Rule, it would simplify matters and make a uniform method of ordering among all the maritime nations. I have stricken out the word "tiller," which I presented in the Resolution of yesterday, but I say to the Conference that I think it would be very easy for the tiller to be fitted with a reversible joint, so that the tiller should be so constructed as to wholly conform to the wheel. But I have stricken out that word in the Resolution to-day. Perhaps in the construction of vessels of the future that difficulty may be obviated.

I do not think that Article 19, in which is used the words, "I am directing my course to starboard," meets exactly what is suggested by this amendment.

Captain Malmberg (Sweden).—Mr. President, I may mention that in Swedish, French, Austrian, and Italian vessels the order given to the helmsman is exaatly what is given in the Rules. We say "starboard" or "port," and when we say "starboard" we mean that the ship's head is to be turned to starboard, and when we say "port" we mean that the ship's head is to be turned to port. That is only quite in conformity with what is stated in the Article about the ship's head.

The President.—Are there any further amendments to Article 14?

Captain Malmberg (Sweden).—Mr. President, there are some expressions here which I know there have been some differences of opinion about; that is, the meaning of the words "running free" and "the wind aft." It might, perhaps, be difficult to exactly define these, because they run so into each other. I wish, however, to call attention to this, having several times seen in the accounts of English collision cases some difference of opinion as regards these two expressions, which should be rightly understood.

The President.—If there be no further amendment to Article 14, the Conference will proceed to the consideration of Article 15:—

"*Steam-vessels meeting.*"

Captain Shackford (United States).—Mr. President, I would like to move that Article 15 stand as it is now in the present Regulations.

The President.—If there be no amendment, the Chair takes it for granted that the Article will stand without action by the Conference. The Chair hears no amendment, and the Conference will proceed to the consideration of Article 16.

Captain Shackford (United States).—Mr. President, I would like to suggest one word in connection with this, in reply to the learned Delegate from Great Britain, when he spoke about taking the bearings of steamers passing. I want to ask him if it would not be a good plan to adopt a system of range-lights, two white lights, one above the other, some distance apart, fore and aft, so

plain that immediately on seeing a vessel you could tell about the direction of her head, and if at any time she should alter her course, you could tell it by the changes of these range-lights. The system of taking bearings would, no doubt, work very well when a vessel is a mile or two away, but in case you sight a steamer no more than 500 or 600 feet away in a fog, you have got no time to take bearings. Then you want to make up your mind instantly what you should do and what is the proper manœuvre.

Mr. Hall (Great Britain).—Mr. President, I would point out to the honourable Delegate from the United States that this suggestion of a preliminary notice, which I have given notice of to-day, is not confined to vessels at night. Of course it is quite open to the honourable Delegate to suggest some precaution which will assist mariners at night as well as by day. In this amendment we have attempted to deal with vessels both by day and by night. Of course the suggestion of the honourable Delegate, as he has made it, will be discussed by the Conference. I will point out, however, that it would be more properly discussed under the general discussion of the Rules under the heading of "Lights."

Captain Shackford (United States).—Mr. President, I think Mr. Goodrich has already given notice, on the first or second day of the Conference, if I remember correctly, that we will propose a system of range-lights.

Captain Malmberg (Sweden).—Mr. President, we have in Article 34 of the Swedish Rules a provision which is not in the International Rules. It is as follows:—

"When a vessel, either a steam-vessel or a sailing-vessel, meets another towing, and there is danger of a collision, the first-named vessel shall keep out of the way of the vessel towing."

I would suggest for your consideration that it might be well to have an Article to that effect in the International Rules. I shall take the liberty to have this motion put in a better shape than it now is.

The President.—Are there further amendments to Article 16? The Chair hears none. The Conference will proceed to the consideration of Article 17.

Captain Shackford (United States).—Mr. President, we have done nothing with Article 16.

The President.—I called for amendments and none were offered. We have therefore passed to Article 17. If there be any amendments to Article 16 the Chair will entertain them now.

The consideration of Article 17 is in order.

"*Steam-ships to keep out of the way of Sailing-vessels.*"

Mr. Hall.—Great Britain).—Mr. President, I would call the attention of the members of the Conference to a proposal which we beg leave to submit for consideration upon what undoubtedly is a very important point. It is necessary, in order to make my comments clear with regard to the amendment we propose to make in Article 18, to call attention to Article 22, because the observations which I have to make on the Resolution which I am about to propose with regard to Article 18 are affected by Article 22. The point is this: in Article 22 it is provided that the vessel which is to keep out of the way is to act as she thinks best to prevent collision, and the other vessel is to keep her course. There is no doubt whatever that this Rule has been read and supposed by a good many sailors to be an instruction that she should not only keep her course, but her speed, and it has been frequently argued by them that it is the better course for them to pursue, because if they not only keep their course, but keep their speed also, they enable the vessel that is to keep out of their way to more easily avoid them by passing under the stern. Now, by the interpretation of the Rule in our Courts that injunction that the vessel is to keep her course has been decided to mean that she is only to keep her course, but shall not keep her speed, because the Rule does not say so. It is necessary to call the attention of the members of the Conference to that in order that I may make clear the suggestion I have to make with regard to Article 18.

Now, with regard to Article 18, reading it in connection with Article 22, so far as we can get at the preponderance of opinion of sailors, it is that it is safer for a vessel which keeps her course to keep also her speed, and for this reason the vessel which has to keep out of the way ought to know what the other vessel is doing. All that she knows now is that she will keep her course if she obeys the Rules. But she does not know that when she is taking steps to avoid that vessel the other vessel may, by slacking her speed, negative her action. I know this is a very serious alteration. It is one which requires very great consideration. We have done our best. We have considered it very carefully, and I think I may say that there is almost a unanimous consensus of opinion among nautical men that it would really do a great deal towards avoiding collisions, because the steamer which has to keep out of the way of the other vessel would know exactly what is safe for her to attempt to do. As I say, at present, the steamer that has to keep out of the way may be afraid to attempt to go under the stern of the other for fear that the other may slacken her speed and so bring about the very collision which it has been attempted to avoid. I do not propose to discuss this at any length now, but I will read the alteration it is proposed to make, and although it may not be strictly in order, Mr. President, perhaps I may also read the alteration which we have to propose in Article 22 to make these two harmonious. Of course it is a consequence that if we alter Article 22, Article 18 will have to be altered *pro tanto*. Accordingly we propose to alter them as follows. I will now read Article 22 first, because that is really first in order of time. Then I shall be glad to make more clear what I propose with regard to Article 18.

In Article 22 we propose to offer as follows:—

"Where, by any of these Rules, one of two ships has to keep out of the way of the other, she shall keep her course and speed."

Then, of course, if the Conference decide to adopt that proposition, it will be necessary to alter Article 18, the Article now under discussion, in order to have it in conformity with such cases. The change which would perhaps bring that about best is as follows. It is printed as Article 20 in the italic column :—

"Every steam-ship that is directed by these Regulations to keep out of the way of another ship shall, on approaching her, slacken her speed if necessary, or stop if necessary, or reverse if necessary."

So that the members of the Conference will see that Article 18, in view of the changes made with regard to the vessel keeping her speed as well as her course, Article 18 is, therefore, only confined to the vessel that has to keep out of the way. Unless Article 18 were altered it would negative the effect of the proposition to change Article 22, so as to require the vessel to keep her speed as well as her course. Therefore it is practically a consequential alteration in Article 18, following upon the alteration in Article 22 in regard to the vessel keeping her course and speed.

Now, I will add one word with regard to the alteration of the verbiage in Article 18. It sounds somewhat tautological to repeat the words "if necessary" in the way in which we propose; but that has not been proposed without reason. The reason is this: I have no doubt but that the honourable Delegate from the United States has come across in his experience cases where a similar argument has been raised. Owing to the wording of the Rule as it stands at present it has been argued seriously that as the words "if necessary" only appear at the end of the Article, that the Rule itself says, "Every steam-ship approaching another ship so as to involve risk of collision shall slacken her speed," it has been argued that the meaning of these words, there being no controlling words, "if necessary," as they are at the end of the sentence, is an injunction to the vessel to at once slacken her speed under all conditions. It is obvious that the Legislature would never intend that, because there are many cases where it is necessary for a vessel to keep on her speed as the only possible means of avoiding a collision. So that we propose to put in the words "if necessary" after each of the three evolutions which are laid down; that she shall slacken her speed if necessary, or stop if necessary, or reverse if necessary. These words are only inserted to meet the difficulties which have arisen from the construction of that Rule.

I therefore, Mr. President, beg to offer as an amendment, on behalf of my colleagues and myself, that which I have just read and which is printed here. I merely state that when Article 22 is read we shall propose the important amendment which I have indicated, to add the words "and speed" after the words "shall keep her course."

Captain Sampson (United States).—Mr. President, I would like to inquire of the learned Delegate from Great Britain if it would not be necessary, if these words are to be repeated, to introduce other means which would be employed by the vessels to avoid collision. The means mentioned here are to slacken her speed, to stop, or to reverse. If it is necessary to be so specific, should it not also contain the words, "or change her course"?

Mr. Hall (Great Britain).—Mr. President, I think that under the preceding Article she is bound to do that. She is bound to get out of the way. I think that the gallant Delegate will find that by the preceding Rules, as laid down, the vessel which has to keep out of the way of the other is bound to do it; and, of course, she does it generally by altering her course. This is a special injunction, dealing only with her rate of speed. I think it would meet the suggestion of the Delegate from the United States if we should say that she "also shall slacken her speed," to show that there are other precautions necessary.

Captain Shackford (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain if these Rules apply to thick weather? Do Article 18 and Article 22 apply to thick weather? I want to ask, if they do apply to thick weather and are to be followed in thick weather, if this proposed alteration does not compel the ship having the other on her port side to keep up speed in thick or foggy weather?

Mr. Hall (United States).—Mr. President, I should say that if she is being navigated prudently she will be going at a moderate speed. I suggest that if she is going at a moderate rate of speed, even in a fog, she should continue that, so that the vessel which is to keep out of her way may know what she is doing. She is not to stop right across the bow of the vessel which is to keep out of her way. She is to keep on.

I will call the attention of the honourable Delegate to a new Article, which deals with vessels in thick weather, and vessels which are in close contiguity, where it may be necessary that both should act so as to avoid a collision. We have foreseen that difficulty, and I will give notice of a motion for a new Rule as soon as we have done with this Rule, to obviate the difficulty pointed out by the honourable Delegate.

Captain Shackford (United States).—Mr. President, I was just about to give notice that I should propose a Rule that in thick weather both vessels should stop on hearing a noise or whistle anywhere before the beam.

The President.—If Article 18 has been disposed of, the Conference will proceed to the consideration of Article 19.

Mr. Hall (Great Britain).—Mr. President, before beginning the discussion of Article 19, I would venture to suggest that we should discuss the only remaining Article which deals with the manœuvres of vessels, and which we think should eventually be put in its place after Article 18, and that is Article 22, to which I referred just now. The members of the Conference will see that Article 22 should really come in under the Steering and Sailing Rules; but, somehow or other, it has been placed among the sound-signals for vessels. The proper place for it to come in would be after Article 18, because then the Rules would all be together.

I shall not now occupy the time of the Conference, because I have already made all the preliminary remarks which I think necessary. I propose to take up Article 22 after Article 18, that

being a Rule which prescribes that vessels shall keep their speed as well as their course; and when we revise the Rules, I think very likely it may be deemed fit to appoint a Committee for the collocation of the Rules, so that they might be framed in a more harmonious order than they are at present. When that is done, Article 22, I think, should take its place before Article 18.

I move, formally, that Article 22 be amended as follows:—

"Where, by any of these Rules, one of two ships is to keep out of the way, the other shall keep her course and speed."

Captain Malmberg (Sweden).—Mr. President, I made a remark that Article 19, in the Regulations for Preventing Collisions at Sea, should be entirely eliminated from the Rules. I beg now to state the reasons why I have made that motion.

Mr. Goodrich (United States).—Mr. President, we are now on Article 22. We have taken it up out of order.

The President.—The Delegate from Great Britain proposes to take up Article 22 and let it come in after Article 18. If there be no objection, that Article is now before the Conference for discussion. The Chair hears no objection.

Mr. Hall (Great Britain).—Mr. President, I beg to give formal notice of the amendment which I have already read.

Dr. Sieveking (Germany).—Mr. President, I want to make a few remarks on Article 22 and the amendment which has been proposed. I do not intend to oppose the amendment. I only want to throw a little light on the other side of the question, for every question has two sides. This is certainly a very serious question. I think I fully understand the reasons which have induced the learned Delegate from Great Britain to propose this amendment to "keep her speed." It has been explained here, and it has been said that it is safer for a vessel which is to keep out of the way to know that the other vessel is to keep her speed, so that she need not be afraid that if she intends to pass behind her, this intention could be frustrated by the other vessel slacking her speed. This is very true. But then the question arises whether this advantage to the vessel which is to keep out of the way is sufficient to outweigh the disadvantage which the amendment will bring along with it for the other vessel which is to keep her way.

Now, all of us who have dealt with these cases know that a vessel which, according to the Rules, is to keep her way, is very often in a painful situation. She has to stand on. She has to wait quietly to see what the other vessel will do. That has been decided by our Courts, certainly, and, so far as I know, by the Courts of Great Britain and the United States. She has to stand on, as it were, until the moment arrives when she has come to the neighbourhood of despair. Only then she is allowed to become active and to manœuvre herself. So, in very many cases, the master of the vessel which has to keep her course finds himself in a very painful situation. He is waiting for the other vessel to change her course, and she is keeping on. If there is this other duty added, if he is not only to keep his course but is to keep his speed, this painful situation, of course, will become doubly painful when he sees that the other vessel intends to pass by his stern, or when he sees that the other vessel intends to pass by his bow, which may arise just as well, because the other vessel is quite at liberty to do as she likes, although as a matter of precaution it is the general rule to cross the stern rather than to cross the bow. Still she is at liberty to cross the bow, and she may be under circumstances where it is preferable for her to do so. Now, when a vessel which is to keep her course sees that the other vessel intends to cross her bow, if she is then to keep up her speed, instead of assisting the other vessel in preventing a collision by slacking her speed, it would indeed put the vessel which had to keep her way in a very painful situation.

Then the question arises whether this, which is certainly a disadvantage, is so slight a disadvantage that it is overbalanced by the advantage which is brought about by the amendment. Now, I think it could be said that the advantage is not so great as it appears when only superficially considering the question. Is it really of so great importance to the vessel which is to keep out of the way to know exactly the speed of the other vessel? Is it necessary for her to be able to rely upon the speed not being altered? The Rules, as they have constantly been interpreted by the Courts, and especially by the Courts of Great Britain, do not apply in the moment when there is a risk of a collision; but they apply before there is a risk of a collision. They are not intended to do away with the risk which has already arisen, but they are applicable at the time when the risk can be avoided.

Now what I want to say is this: If this is the meaning of the Rule, then the vessel which is to keep out of the way ought to change her course and do the necessary manœuvres to keep out of the way before there is any risk of a collision, and at a time when the vessels are so far distant from each other that there is no risk: then the speed of the other vessel is not such an important point for her to know or to take as one of the bases of her calculations. Therefore, I think it might be said that the advantage is not so great for the vessel which is to keep out of the way, and, on the other hand, the disadvantage is great for the vessel which is to keep her course.

There is another fact to be taken into consideration. This amendment proposes to include all vessels—sailing-vessels. Now, sailing-vessels may sometimes increase their speed. A squall of wind may follow, and their speed may be increased without their changing anything in their sails; but if they have to keep their speed, if the Rule is strictly applied, they would in such a case have to take in some of their sails in order that, if the wind freshened, they should not increase their speed. That certainly would be a great difficulty.

Finally, I would like to call the attention of the Conference to the question as to whether or not it would in fact be of so very great practical importance. Will a vessel which is to keep her course really be induced to alter her speed unless at the very last moment when she sees that the other vessel does not take any steps to avoid or prevent a collision? This, of course, she must always do.

There is another amendment which involves this, and which, I think, must be considered a little

in connection with this one, and that is: When in consequence of thick weather, or other causes, two ships find themselves so close to each other as to make it doubtful whether by the action of one ship alone collision can be avoided, the ship which by the above Article is directed to keep her course and speed shall also take such action as will aid to avoid collision."

So the vessel which is to keep her course is allowed, by this amendment, to slacken her speed or to increase her speed, just as the circumstances of the case may be, if it is doubtful whether by the action of one ship alone the collision can be avoided. Certainly there can be no doubt that at the very last moment she must be allowed to do so. What I want to draw the attention of the Conference to is this: Whether, before this moment arrives, say in the last three or four or five minutes, there is any great risk or chance to the vessel which is to keep her course, by altering her speed, either slacking or increasing it, and thereby interfering with the intention of the vessel which is to keep out of the way? I do not think there is very much probability of her doing so, because if the other vessel chooses to keep out of the way, and does so in the proper time, she will see either by the change of lights in the night, or by the alteration of the course of the other vessel by day, what direction the other vessel intends to take—whether she intends to cross her bow or to pass under her stern. In the first case, if she shows that she intends to cross her bow it would be very impracticable to say that she ought not to slacken her speed, which could only assist in preventing the collision. In the other case she would have no reason at all which would induce her to slacken her speed, and if she increased her speed it would only serve the better to prevent a collision. These are the remarks which I intended to make. Without intending to oppose the amendments, I only wanted to call the attention of the Conference to this question, which I consider one of the utmost importance.

Mr. Goodrich (United States).—Mr. President, the object of these Rules, as I understand them, is to put upon one of two approaching vessels the burden of avoiding a collision; and there is hardly a situation in which vessels approach each other which is not provided for in these Rules. In all of them the burden is put upon one of the two vessels to keep out of the way of the other. Now, it seems to me that this suggestion of an amendment by the learned Delegate from Great Britain is a very proper thing, because it does add another element to the knowledge of the burdened ship by which she can judge quickly and surely of the position, course, and speed of the other vessel, and so take measures proper to the situation to avoid a collision. I remember very well a case which was decided in our Courts which may, perhaps, throw a little light on this amendment, because an example of a collision has lessons which mere theories do not give. I remember a case where a sailing-ship was standing off and on to enter New York Harbour in a fog. She was going only at the rate of 4 miles an hour. She had her foresail clewed up and much of her canvas stripped from her. At any rate, she was going at barely steerage-way, at the rate of 4 miles an hour. A steam-ship was sighted on her port bow, the directions of the two vessels varying perhaps six points. The fog was very thick. The steam-ship saw the sailing-ship perhaps 800 or 900 feet away. The captain of the sailing-ship stood on his poop alert and vigilant, and, having heard in the fog the whistle of the approaching steamer, was prepared to do whatever he was told to do by the steamer. He did nothing. He held his course; he did not alter his helm. The result was in that particular case a collision. It was argued and supported by the Courts that the steamer knew, under this present Rule, that the ship was bound to keep her course, and that ahe might have inferred that, because the vessel was a sailing-vessel, there was no time for her to alter her speed; and so the steam-ship was condemned.

Now, if you take this Rule in connection with Article 23, which says: "In obeying and construing these Rules, due regard should be had to the dangers of navigation and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger," I think there will be no difficulty, because, although you provide in the Article under consideration that the vessel shall keep her course and her speed, circumstances may arise, as in the case which I have just recited, which would justify the sailing-ship or the ship which was bound to keep her course in disobeying the Article we are considering. Of course, that is a very delicate matter for a ship to do, one which is bound to keep her course; because, if she varies her course or disobeys the Rules, she takes the burden of proof upon herself to justify this alteration under the 23rd Article. This, in the trial of law cases, as Delegate Hall well knows, is a very serious matter. But the Rule has been made under the theory that, so far as it can be done, the burden of avoiding collision shall be put upon one of two vessels in any situation in which they might find themselves, and that that vessel shall be given as many elements of knowledge as to the course, speed, and direction and movements of the other vessel as it is possible to give her. If that is the correct theory under which these Rules are to be made, all the elements of knowledge which we can add are of very essential service.

Mr. Hall (Great Britain).—Mr. President, I am sure that we are all very much obliged indeed both to the learned Delegate from Germany and the learned Delegate from the United States for the very thoughtful and able remarks they have made upon this proposition. No doubt it is a proposition which requires the most careful discussion, and all the assistance we can obtain from the members of the Conference. I only rise for the purpose of saying one or two words with regard to suggestions which have been pointed out so forcibly by my learned colleague the Delegate from Germany. He referred, in the first place, to the painful position in which the vessel is placed that has to keep her course, because she does not know what the other vessel is going to do. She does not know whether that vessel is going to try to cross ahead of her, or is going under her stern; and she naturally feels very considerable fear that if she keeps on her speed she may be negativing what will be attempted by the other vessel, viz., to get across her bow. We had already thought of that in connection with this case, and not only in connection with this case, but in connection with the general Steering and Sailing Rules as they exist at the present time. When the proper time comes we intend to propose a new Rule, which I cannot help thinking will commend itself to the common sense of the Delegates, and that is a Rule laying down that, so far as the circumstances of the case will admit, the vessel that has to keep out of the way shall avoid crossing the bows of another vessel. Of

course, there may be some cases in which it is necessary to cross the bows of a vessel that has to be avoided, but generally it is desirable to have it laid down as a proposition or rule that, so far as the circumstances of the case admit, the vessel which has to keep out of the way of another vessel shall avoid crossing the bows of that vessel.

There are two other matters, one of which has already been pointed out by the learned Delegate from the United States, and that is with regard to the position in which the vessel is placed that has to keep her course. It is provided already by Article 23, as the Delegate from the United States pointed out, that under the general rule the vessel would be justified in also taking steps to avoid a collision if the circumstances of the case were such that it was proper for the officer in charge of her as a practical seaman to take such steps. But we have thought it desirable, perhaps, to dot the "i" and cross the "t" upon this matter, and to have a further Rule, making it clear to seamen that they would be justified, although the Rule prescribed for them is that they are to keep their course and speed—that they would be justified in a case in which they found that the other vessel which ought to keep out of the way was standing on and apparently not taking steps in sufficient time to prevent a collision—that then they would be bound to act also in order to avoid a collision. Originally, as has been pointed out, the duty is cast upon one vessel to keep out of the way of the other vessel, and the other vessel is to keep on, and give all the information she can. She is to keep on her speed as we propose, but if she sees as the vessels narrow together that the other vessel is not taking any steps, or has got so near that even if she does take steps her individual action alone will not prevent a collision, then the other ship should try to prevent a collision. She certainly would not be justified in keeping on her course and speed when she saw that a collision would ensue unless she took steps as well as the other vessel to prevent it. Therefore, it is to meet this point that we have drafted a new Rule, which I shall move shall follow the Rule now under discussion, and which I may, perhaps, read now:—

"When, in consequence of thick weather, or other causes, two ships find themselves so close together as to make it doubtful whether by the action of one ship alone collision can be avoided, the ship which by the above Article is directed to keep her course and speed shall also take such action as will best aid to avoid collision."

I have referred to the fact that we intend, at the proper opportunity, to move also that the ship which is required by these Rules to keep out of the way of the other ship shall, if the circumstances of the case admit, avoid crossing ahead of the other; but, of course, I will refer to that when it is reached.

There is only one other matter to which I shall refer besides the two points I have already dealt with, and that is as to sailing-vessels. What the learned Delegate from Germany pointed out is no doubt perfectly true. He has pointed out that the wind may freshen and the vessel's speed may increase. But then, of course, these Rules are to be read by the light of experience, and having regard to the ordinary circumstances of the case. I am satisfied that no Court in any country in the world would hold that a sailor was to blame if, upon sighting a steamer that had to keep out of his way, the wind increasing slightly, and thereby his speed was increased *pro tanto*, that he would be to blame for not having kept his course and speed. I think that is no doubt a point which arises on a strict construction of the Rules; but, of course, try as hard as we may, we shall never be able to put into these Rules provisions for every possible circumstance which may arise. I am reminded that the same criticism would apply to the Rule as it stands. At present the vessel has to keep her course. It may be possible that it is hard to keep her course. She is bound to keep it as far as she can.

Captain Mensing (Germany).—Mr. President, I beg leave to submit to the consideration of this Conference, and particularly to the eminent Delegates from Great Britain, a few remarks with regard to this point. It seems to me that the benefits of such an order would benefit most those people who I think are the greatest nuisances of the sea; that is, those who try "close shaves." They want to go as close to another vessel as possible. They keep their course until they see that they have to go out of the way. I think that these people are altogether wrong. I think that it is one of the greatest and best principles that can be followed by any seafaring man that he should try to avoid dangers, and that he should try to avoid a collision by going out of the way on the approach of a vessel as soon as he sights her; as soon as he is clear in his mind what to do. If we decide that a ship has to keep her course and to keep her speed, there are a great many people who will be led to think that they are all right in attempting to go as close as possible, calculating that such a ship will keep her speed. It may be quite impossible for the other ship to do this. An accident may happen to the engines at any minute. I see that the honourable Delegate from the United States is shaking his head at me; but I think I know of a few cases where such things have happened. They have happened in crowded thoroughfares. It is not an everyday occurrence; but it has to be provided for.

There is another point. My belief is that, in every case, every ship goes at the fastest speed the circumstances will permit. I believe that, if we except war-vessels, it is always the case. It is what the captain has to do. It is what the owner of the ship expects him to do, and what the public and the trade and everybody else expect. Now, what does it mean, "keep the speed"? I do not believe that out of a hundred vessels there are ninety-nine on the waters which are able to increase their speed if they should try to do so. I mean, increase it in the way that would be brought to the consideration of this Conference, say, a knot or two knots more than they were going. They cannot do it. It is impossible. They use up every pound of steam that they have. They can open perhaps their throttle a little wider; they can use the expansion; but I do not believe it is possible, as ships are built now, that they could increase their speed more than one or two knots, if the order should be given at any time, unless they have time to raise the pressure in the boilers. Then it comes to this, that, in my judgment, the order, as we adopt it, should forbid the slackening of speed. I think it is an extremely difficult point for a captain, standing on his bridge, to decide exactly the moment when

he may slacken his speed, when a minute before or a second before he is not, under the Rule, allowed to do so.

You may say that collisions may often occur this way. I do not know of any decision that has been brought to bear exactly on this point; but I know one that seems to me to be somewhat similar. It is an instance of which I read in the newspapers, or rather in a periodical, which I believe is a very good one. It is this: That, when in the Gulf of Aden, a ship entering the harbour saw another that had an anchor-light at her stern, and she tried to pass under the stern of this vessel. As the latter had just come to an anchor, and was backing in order to get her chain out, there was a collision, and, so far as I know, the ship backing was considered to be at fault. I do not believe that, if the captain of any ship should manœuvre in such a way, and should slacken speed to such a degree that a collision would follow from it, that there is any Court in the world but what would condemn such a rash and inconsiderate action.

The President.—Article 19 is next in order.

Mr. Goodrich (United States).—Mr. President, I propose the following amendment to Article 19. I will read it——

Mr. Hall (Great Britain).—Mr. President, I beg the pardon of the learned Delegate from the United States. May I formally give notice, before Article 19 is considered, of a new Rule, which is printed as Article 22? I have already referred to it, but I have not given formal notice of it. I think it would, perhaps, be in order now to propose it as coming before Article 19. There is an Article with regard to the Steering and Sailing Rules which it is necessary for me to give formal notice of, so that it will be in its proper place. It is printed as Article 23 in the proposed new Rules with regard to ships of war "in order." I apprehend that this is a very proper place for it to come in:—

"In the day-time, that is, between sunrise and sunset, single ships shall keep out of the way of three or four ships of war in order; and no ship shall, under such circumstances, break the line of such a squadron. At night, that is, between sunset and sunrise, single ships should for mutual safety endeavour to avoid passing through a squadron."

These suggestions have been made to us by gentlemen who are cognizant of the requirements of the navy, and we believe that it is not imposing any serious hardship upon mercantile vessels to be ordered to obey the Rule which I now give formal notice of.

Captain Richard (France).—Mr. President, I ask permission of the members of the Conference to submit to them some doubts which I have in my mind as to the efficaciousness of the amendments which have been proposed. The last Rules adopted date only from 1884. They have, therefore, been in existence but five years, and, notwithstanding, numerous amendments are submitted to us. I am not capable of contesting their value from a legal stand-point, but from the stand-point of a mariner their value seems to be more or less the subject of doubt.

It seems to me inopportune to increase, without evident need, those Rules of the Road which are the sailor's catechism, and which must, in order to be able to fill that need, be known by heart, learned word for word, by all the officers having charge of a vessel. Under those conditions, in order not to create any confusion, they should only be amended with the utmost care. It is evident that the preliminary Article satisfies a certain want to specify a meaning, but is it really necessary? It is not, in my opinion, sufficiently explicit, and it teaches nothing that mariners do not already know. It is not sufficiently precise, as we all know, when the courses followed by approaching vessels form a sharp angle. In that case the directions are insufficient to clearly specify the respective situation of the vessels. Why, then, overburden the text, which is, in my opinion, already overburdened?

Article 20, as proposed by the British Delegates, is merely an explanation of Article 18 of the English Rules, and although this explanation has been demanded, it could be dispensed with. In Article 21 what is the use of the word "speed"? This addition does not seem to me to be a happy one. In regard to Article 22, as proposed by the English Delegates, we admit that it is contained in Article 23 of the Rules now enforced.

Consequently, I beg the members of the Conference, before accepting these amendments, to consider that any modifications not strictly necessary should be banished from the Rules by which our mariners are to be guided. I therefore conclude by expressing the hope to see the old text of Article 22 retained without modification.

The proposition to compel sailing- or steam-vessels while on their course, during the day-time, to give the right of way to war-vessels in squadrons seems to me unacceptable. Any one can understand the impracticability of such a Rule in a narrow channel frequented by sailing-vessels, and the contradiction of all accepted Rules in so far as concerns that class of vessels. Moreover, the Article is careful to advise all vessels sailing alone to avoid traversing a squadron during the night-time. If that advice is sufficient to avoid the danger of collision, which is always greater in the night-time than by day, why not adopt it for the day-time? Why make a dangerous and embarrassing Rule?

Mr. Goodrich (United States).—Mr. President, does the Delegate from Great Britain desire to suggest those other Rules?

Mr. Hall (Great Britain).—Mr. President, I think, perhaps, it would be very convenient for the Conference if we should go on now with the Rules in their order, and we will leave it for the Committee of Collocation to place the other Rules. There is no doubt that some of these other Rules ought to come in, in the order of sequence, before we deal with sound-signals, but perhaps it would be more convenient to deal with them now as they stand.

Mr. Goodrich (United States).—Mr. President, I present this amendment to Article 19, after a good deal of correspondence with steam-ship and sailing-ship masters and with others interested in navigation. I know that it is to be the subject of a good deal of discussion in this Conference. I notice also the fact that it is embodied in one of the English amendments. The proposition is:—

"In taking any course authorized or required by these Regulations, a steam-vessel under way shall indicate that course to any other vessel which she has in sight by the following signals on her steam-whistles, namely:"——

In other words, it is the intention of the amendment to change the permissive nature of this Rule as it is now adopted to a mandatory character, and make it a positive injunction upon all steamers to indicate their course, as far as they can, and thus remove another element of uncertainty in the manœuvres of vessels which have to approach each other at any time.

Captain Malmberg (Sweden).—Mr. President, as I said before, I have made a motion to eliminate Article 19 altogether from these Rules. I wish to state the reason why.

Although it might be desirable that any alteration of the course of a steamer should be preceded by a certain signal made by the steam-whistle, I, for my part, must object to such a Rule, either as optional or compulsory.

The rules of Article 19 may be easily enough complied with in men-of-war and some large steam-packets, but almost all merchant-steamers have a very reduced crew, and the officer who has charge of the watch will, when there is any danger of collision, be fully occupied in observing the lights and the movements of the other vessel, and, having to stand by the telegraph to the engines himself, will very seldom have any one to detail to blow the steam-whistle. I may point out that on board steamers of large size the telegraph to the engines and the handle or string to the valve of the steam-whistle cannot be managed at the same time by one and the same person.

There is to my mind another reason why I should advocate the elimination of Article 19, and this is, that when at a critical moment, watching the lights and manœuvres of the other vessel, you hear a signal made by its steam-whistle, the sound thereof has a perturbing influence on the mind, because you have to think, "What does that signal mean?"

I will not dispute that the rules of Article 19 may work well as long as there is no danger of collision, but if these Rules are to be made compulsory you will put a very heavy responsibility on masters of vessels when collision cases have to be inquired into by a Court. As Article 19 now stands it is optional. I have studied a good many collision cases, and very often found that the optional character of the rules of Article 19, although not being the origin of the collisions, has brought about that one of the vessels has been manœuvred under the guidance of the rules of Article 19 and the other one has not. When I point to this I do not point to cases where in a fog the rules of Article 19, through misapplication, have been acted upon.

Mr. Verbrugghe (Belgium).—Mr. President, I also desire to present a few remarks. I share the views of the gallant Delegate from Sweden in regard to dangers which exist in rendering signals compulsory. The mere fact of having used those signals may not allow the correction of a manœuvre when such manœuvre is not the one which should be made in order to effectually avoid a vessel.

I beg the Conference to examine very carefully the proposition which has been made to render the signals obligatory. But, however the result may be, whether the signals are maintained one way or another, I desire to state that it would be proper to add a fourth signal to indicate the act of stopping. In narrow channels, for which Article 22 contains special instructions, it is possible that a steamer may have to avoid several vessels, and that she may limit her precautions by merely stopping instead of reversing. In such an event it seems to me that a fourth signal should be provided for. And I propose such a one to the Conference, that is to say: Four short whistles to signify "I will stop."

Mr. Verney (Siam).—Mr. President, let me suggest that there is this case to be taken into consideration in connection with this Rule, and, I may add, in connection with the other Rules, which I do not think has been brought yet before the minds of this Conference. It is very strange, to any one reading over these Rules, to find that they are almost all intended for application only to two ships. Hardly any one of them, except the general provisions, takes into account the contingency, which is often a reality, that there are several ships manœuvring close to one another. I notice, for instance, that my friend the learned Delegate from Germany, in speaking of the hardships imposed upon the master of a ship who has to keep his way, omitted to mention one case when that hardship seems to me extremely real and very grievous; and that is when by keeping on his way he might run into a third ship. I know perfectly well that the learned Delegate will say that you cannot possibly take into consideration the case of many ships manœuvring near one another, because you would force yourselves into complications which we would not get through with if we should consider them for years. But I say that, as regards this rule of signalling in a fog, it may come to be a very serious matter to impose upon every master of every ship, as a necessity, as a matter of compulsion, to sound the signals no matter where he is manœuvring or how many ships may be in his immediate neighbourhood.

Mr. Hall (Great Britain).—Mr. President, I would call the attention of the gentleman to the fact that these are not fog-signals.

Mr. Verney (Siam).—Mr. President, I venture to suggest that there may be several occasions in which it may be extremely hard upon the masters who have, as a matter of compulsion, to make these signals, because he must take into account that several ships are close beside him. He must manœuvre with respect not only to one other ship, but with respect to the position of several other ships besides the one which may be in his mind at first. I therefore would merely ask the Conference to consider, before they make this Article compulsory, whether that matter should not be taken into consideration. The signal might be the right one to make if there was only one ship to consider, and it may be the wrong one to make if there are several ships close by one another.

Mr. Hall (Great Britain).—Mr. President, I desire to say on behalf of my colleagues and myself that we shall cordially support the proposition of the honourable Delegate from the United States. As he has pointed out, we had the intention to move a somewhat similar amendment, but as this has been moved first, of course we shall support his amendment in lieu of it, for the reasons which have

induced us to think that this amendment was a good one. It was pointed out to us that these signals which had been made optional, and have been optional now for a good many years, certainly in the neighbourhood of English waters, were very much used, and we found that they were used and were well recognized and well understood. I do not think I have ever been engaged in any case yet in which any officer on board of any steam-vessel, however small, has not known perfectly well what these signals meant. I had a personal opportunity to observe the use of them as I came up New York Bay when I arrived in this country. I noticed that they used port helm and starboard helm signals as they came into the harbour.

Now, first of all, I want to refer to the hardships spoken of by the Delegate from Germany. What hardship is there to an officer in charge of a steamer, which generally has a whistle lanyard made fast on the bridge, if he intends to "port his helm," to give one pull at the lanyard, and if he intends to starboard his helm, to give two pulls? It has been pointed out that if he once gives that signal he will not like to change his course, but I have known of a great many cases, and especially in the River Thames, where these Rules are used, where a man who gives a port helm signal and instead of getting back a port helm signal he gets a starboard helm signal. What does he do? If he is a prudent man he gives the starboard helm signal. The great object is that vessels should all do the same thing, and there is no difficulty that I can see in giving that signal. There is one great advantage in this, and I think that it is a very great advantage, which we ought to consider. Frequently a small sailing-vessel may be sailing, and a five or ten thousand ton steamer may be coming up astern of her. It takes a long time for a steamer like that to show that she has altered her course, and we have known of cases, in our experience, where sailing-vessels have been frightened at not getting any signal from the steamer which is overtaking them, indicating that she is going to take steps for them; and the sailing-vessels have altered their course, and by that alteration negatived the steps which the steamer was taking without their knowing it. I think it is a matter of very great importance. It would say to the sailing-vessel this, "I see you; I am going to take steps for you." It would give confidence. At present the man in the sailing-vessel, when he sees a steamer which is not bound to give him any whistle, does not know that he is seen. Then, again, these fast steamers come down upon a sailing-vessel so quickly that the sailing-master may lose his head, get frightened, and alter his course, and put his helm up or down, and so bring about the very collision which it was intended to avoid.

I think, therefore, in view of the fact that there is really no hardship on steamers, and in view of the counterbalancing advantage it would be to the vessel to whom they are to give the signal, that the proposition of the learned Delegate from the United States is one that deserves our cordial support. I have only one small amendment to it in a matter of detail, and that is this: it is following out the principles which are referred to in our attempt to give a definition of what a long-blast signal should be. The members of the Conference will remember that we have given notice of an amendment attempting to define the duration of a long blast, that it should be about four seconds. In the same way we think it desirable, as men's opinions differ very much with regard to what a short blast is, to give it also a definition and make it "about one second." Every sailor will know what you mean by saying, "Give a blast of about one second." So we propose to insert these words:—

"The term short blast, used in this Article, means a blast of about one second's duration."

Then in lieu of the last paragraph of Article 19, which commences, "The use of these signals is optional," we will strike out these words and insert, "The course of the ship must be in accordance with the signal made.

We also move, further, to have a heading to this Rule, which does not exist at the present time, so that it shall be impressed upon the minds of the sailors that these are sound-signals for vessels in sight. We propose to give it a heading, "Sound-signals for Vessels in sight of one another."

The Conference thereupon took a recess until 2 o'clock.

After Recess.

Mr. Goodrich (United States).—Mr. President, I will call from the table the Resolution about a recess of the Conference on Wednesday, a matter which was brought up yesterday. I omitted to bring it up this morning at the opening of the Conference.

The President.—The question is upon the motion of the Delegate from the United States to take a recess to-morrow, Wednesday, in order to enable the Committees on Lights and Sound-signals to initiate and go on with their work.

The motion was thereupon unanimously carried by the Conference.

The President.—Article 19 is still under consideration by the Conference.

Dr. Sieveking (Germany).—Mr. President, so far as I can give an opinion on this Article which is under consideration at present, I should feel very strongly inclined to support the amendment which has been proposed by Captain Malmberg, of Sweden, to obliterate it altogether. At any rate I entertain the strongest doubts as to the advisability of making these signals compulsory. It is said in support of this proposal that the system of compulsory signals has proved to be a very good thing on the Thames and in New York Harbour. I may say that it is quite the same thing with us on the River Elbe, in the harbour. It is continually practised and it meets with general approval. But then the nautical men whom I have talked with about this matter have told me, and I believe that there are very strong reasons for their being right in that respect, that it is quite a different thing in the open sea from what it is in the harbours, for this reason: In the harbours the vessels which want

to avoid each other are generally very close to each other. They see one another and cannot misunderstand the signals. Then they are manœuvring all the time, and the Rule is not obeyed, although perhaps it would have to be obeyed unless there are local Rules in the way, the Rule is not obeyed that one vessel has to keep her course and the other is to manœuvre alone. They are changing their places all the time, as it were, like dancers in a ball-room, so they must make way for one another. Therefore, it is very useful to use these signals, and a misunderstanding can scarcely arise, as the vessels are so close in sight of one another.

On the seas I believe the case to be different. I have witnessed a great many trials of collision cases, and I have met with an experience which is confirmed by every nautical man, that scarcely ever do the depositions of the crews of two vessels concerned in a collision agree as to the signals which they have heard. In *bonâ fide* depositions one of them says, "I gave two blasts;" another says, "We heard only one." Now, I think that depends upon the particular circumstances of the open sea, the wind, the noise of the engines, the noise created by the signals, and perhaps the deafness which is likely to cover a few minutes or a few seconds after the signal has been given, thus preventing a clear hearing of signals given by another person. If the signal is misunderstood, of course the confusion would be so great that the consequences would be very disastrous. There can be no doubt about that; and experience shows that they are so easily misunderstood that I should think it should be considered very questionable to make them compulsory. There is another circumstance which I think has been pointed out, there are frequently several vessels in sight of one another, and so the signals would create confusion.

Under these circumstances I ask myself if there are very great advantages connected with this amendment. Of course, if there are, they would perhaps turn the scale in favour of the amendment, but I cannot see them. I understand the matter to be this (except the only case where meeting vessels are approaching each other and where both vessels have to shape their course to starboard, or, as is the general expression, put their helm to port), that one vessel is to keep her course, and the other to keep out of the way. Now, the greatest importance, and, I think, the only important thing, is that the vessel which is to keep out of the way does do so. I do not see that there is any great importance in providing that she shall indicate to the other vessel that she intends to do so. A collision is avoided if she does keep out of the way of the other vessel. It does not matter whether she says, "I will keep out of the way by doing this or that." But she must do what is prescribed. If she does it, a collision is averted.

The only thing which could be said, in my opinion, against this is, and I believe that has been indicated also by the learned Delegate from Great Britain, that the other vessel which has to keep her way is enabled to become aware of the intended movements of the vessel which is to keep out of the way at a little earlier period of time if these signals are given; and it is said to be an advantage which would accrue out of this amendment, that the anxiety and fear which I laid so much stress upon in speaking of the other Regulations, which always must be on board a ship which has to keep on her way, would be diminished a little; but then the very short time only would come into consideration. At night the changing of the lights and by day the changing of the course of the vessel would very soon, without this signal, indicate what the keeping-out-of-the-way vessel intends to do, if the Rules are strictly observed, and if, particularly, what is the very basis of these Steering and Sailing Rules is observed, that they should begin to apply at an early time. I do not think that this very small period of time would be of any considerable importance for a vessel which has to keep her way. Of course, by knowing what the other vessel intends to do, especially at a greater distance, she would not be at all influenced by this, because she has to keep her course. But if it is to be adopted as an amendment that she is to keep her speed, then, whether she hears a signal or not, she would not be at liberty to alter in any regard her course, or in any regard her speed. I do not see what advantage would accrue from making the signals compulsory. On the other hand, I think the disadvantages are of a very serious nature. I tried to explain before, and I beg to repeat, that I believe there are very serious doubts about the advisability of this amendment.

Captain Malmberg (Sweden).—Mr. President, after what I have heard I will withdraw my motion and modify it, so that if this Article is to be retained in the Rules I prefer, on the reasoning of Dr. Sieveking, to let it have an optional reading, as it now has, instead of making it compulsory.

The President.—The Chair hears no further amendment to Article 19. The Conference will proceed to the consideration of Article 20.

"*Vessel overtaking another.*"

Mr. Hall (Great Britain).—Mr. President, I have the honour to propose an amendment to Article 20, and I will state very briefly what the reasons are which have induced my brother Delegates and myself to come to the conclusion that this is desirable. Undoubtedly the question has been raised frequently in our Courts of Law, and, as I believe, in the Courts of the United States—with the decisions of which we are more familiar in Great Britain than the decisions of any other country, I may say—the question has arisen sometimes as to whether or not a vessel is an overtaking ship, and it has been argued that when vessels are in such a position that their courses are divergent, that they then come within the operation of the crossing rule, and not within the operation of the overtaking rule. I know that it has been attempted to be argued that a vessel is only an overtaking vessel so long as she is aft of the vessel she is overtaking, and that immediately when a vessel is on a crossing course the crossing rules apply, and she is not bound by the Article with regard to overtaking vessels. Accordingly, in dealing with these cases, our Courts have laid down what an overtaking vessel is; and it appears to be so clear and explicit as to leave no doubt in the mind of any seaman, if he had this definition before him, as to what an overtaking vessel was. We have thought it desirable to impress

this upon his mind clearly, so that he could not shield himself on the pretence that they were crossing vessels and not overtaking vessels. Therefore we propose to add:—

"Any ship coming up with any other ship from any direction more than two points abaft her beam, that is in such a position with reference to the vessel she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking ship; and no subsequent alteration of the bearings between the two ships shall make the overtaking ship a crossing ship within the meaning of the regulations of keeping clear of the overtaken ship until she is finally passed and clear of her.

"As by day the overtaking ship cannot always know with certainty whether she is before or abaft this direction from the other ship, she should, if in doubt, assume that she is an overtaking ship and keep out of the way."

This last system is to provide for the difficulty of a man seeing by day and not being certain whether he was two points abaft the beam of the vessel he was overtaking. Therefore it puts the *onus* on every overtaking vessel, if she is in doubt as to the bearings.

The President.—Article 20 is still before the Conference for further amendment.

Mr. Goodrich (United States).—Mr. President, let me make a single suggestion to the learned Delegate from Great Britain. It seems to me that we do not want to overlay these Rules and make them too long; and I doubt, with very great respect for my friends from Great Britain, whether there is not too much language in that Rule. It seems to me that, if you eliminate all portions of the Rule except that which I will read, it will accomplish the same result that the learned Delegate proposes to accomplish by this long paragraph. Indeed, I had myself framed an Article almost identical in words as this proposed, so far as I read it, before I had the pleasure of seeing these of the learned Delegate from Great Britain. I would have it read as follows:—

"Any ship coming up with any other ship from any direction more than two points abaft her beam, that is in such a position with reference to the vessel that she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel."

Captain Norcross suggests to me that we should leave out the words, "more than two points abaft her beam;" but it seems to me that the proposition would be very clearly stated in the language which I have selected out of the amendment of the learned Delegate from Great Britain. Any vessel approaching another, coming up on any other vessel from any direction more than two points abaft the beam, would be taken to be an overtaking ship. The subject has also been, with us, the subject of judicial construction even in our Common Law Courts. It seems to me that at night there is no trouble about it because the lights show. If it is in the day-time the loom of an approaching vessel is so distinct that any marriner can judge from its appearance whether he is approaching her two points or more than two points abaft the beam, because a sailor catches the points a great deal quicker than we landsmen can do, as that is his business. I do not believe that the Article is strengthened by so much explanation, because there are other Articles in here which, I think, require explanation, or would require explanation except for the fact that they have already received a judicial construction.

Captain Richard (France).—Mr. President, the paragraph presented by the English Delegation seems to me to fill a want. But it also appears to me that it presents certain inconveniences in inserting it into the text of the Law itself. Would it not be possible to place after the Rules an Addenda containing a number of pages, in which all these explanations, with special reference to the legal portion, would be given in full? In that manner the Rules of the Road would be given in one portion, and in the other portion the necessary explanations for the perfect understanding of those Rules would be given.

Captain Malmberg (Sweden).—Mr. President, on account of what Mr. Goodrich has stated, I, for my part, would like very much to have a part of the language taken out of the English proposition. But there is a part which I do not desire to see eliminated from the Article, and that is as follows: "And no subsequent alterations of the bearings between the two ships shall make the overtaking ship a crossing ship within the meaning of the Regulations." I think this language ought to be in the Article and should not be removed.

The President.—Are there further amendments to Article 20? The Conference will proceed to the consideration of Article 21.

Mr. Hall (Great Britain).—Mr. President, perhaps, before we deal with Article 21, I should give formal notice of a new Rule which I propose to offer with regard to a vessel not crossing ahead of another vessel, when she is bound by the Rule to keep out of her way. I have already occupied the time of the Conference in giving the reasons for that Rule, and I would merely move it as a new Rule.

It is numbered Article 26 in the English copy in the left column:—

"A ship which is required by these Rules to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other."

Lieutenant Beaugency (Chile).—Mr. President, the Secretary has a motion upon one ship not moving across the bow of another ship, which I gave to him yesterday.

The President.—Would the Delegate from Chile like to have that amendment red?

Lieutenant Beaugency (Chile).—If you please, Sir.

The President.—The Secretary will please read it.

The Secretary thereupon read as follows :—

"No ship shall cross the bow of any ship in motion, but if extraordinary circumstances require that it should be done, then the ship crossing the bow of the other ship shall be responsible for the consequences."

The President.—That will be printed as an amendment.

Captain Mensing (Germany).—Mr. President, I would like to ask the gallant Delegate from Chile whether he puts a limit to the distance between the two ships? It seems to me to be going too far to say that a ship should not be allowed to cross the bow of another ship if the distance is 6 miles.

Mr. Hall (Great Britain).—Mr. President, if the gallant Delegate from Chile will insert in his amendment the words, "so as to involve the risk of collision," that will meet the point.

The President.—Does the Delegate desire to have that added to his amendment?

Lieutenant Beaugency (Chile).—Yes, Sir; please say, "where there is risk of a collision."

The President.—Article 21 is before the Conference for consideration. As there appears to be no amendment to Article 21, the Conference will proceed to the consideration of Article 22. Article 22, however, the Chair understands, has been disposed of, and the Conference will proceed to the consideration of Article 23.

There being no amendments suggested to Article 23, the Conference proceeded to the consideration of Article 24.

Dr. Sieveking (Germany).—Mr. President, I think I ought to give notice of a proposition which the German Delegation desires to make to this Article. I have already stated that it was the intention of our Delegation to propose to obliterate Article 13, and to make the Rules which are to be observed more rigid than they are now. I am fully aware that Article 24 is not quite the right place for it. It is not quite logical, perhaps, in Article 24, and could be much better made a separate Article. I only mean to get the sense of the Conference. What we propose to say is this: This Article particularly applies to those measures and precautions which are necessary to insure the greatest attainable security of vessels in a fog, thick weather, or falling snow. All persons liable under the law shall be held responsible should they neglect to take such measures and precautions as may be necessary to secure the greatest security of the vessel attainable under the circumstances, *i.e.*, to increase the number of officers on the bridge and the number of look-outs, to close the portholes and doors between watertight compartments, to moderate the speed of the vessel according to circumstances, if necessary, even so far as to stop the vessel in the water or bring the vessel to anchor. I merely give notice of this, with the reservation that the wording of it may be changed. It is not, perhaps, properly worded.

Captain Settembrini (Italy).—Mr. President, I beg to be allowed to point out an omission in the case of a sailing-vessel meeting with a vessel having another one in tow, that is not contemplated in the Rule we are considering. It is my opinion that it is a case worthy of consideration, and I beg to propose that the following Article be added in the present Rule as Article 24:—

"Every single vessel shall keep out of the way of another vessel having a vessel in tow." Then let Article 24 become Article 25.

Captain Malmberg (Sweden).—Mr. President, I only want to mention that I have made a motion for the same purpose to-day.

The President.—The Chair hears no further amendment to Article 24. Article 25 now comes up for consideration.

Mr. Garde (Denmark).—Mr. President, I take the liberty of proposing an amendment or addition to Article 25. The Article reads at present:—

"Nothing in these Rules shall interfere with the operation of a special Rule, duly made by a local authority, relative to the navigation of any harbour, river, or inland navigation."

Our proposal is that there might be added to this Article a clause something like this:—

"However, such special Regulations must not, additional signals excepted, deviate from the Regulations regarding lights and fog-signals in so far as concerns fair-ways also frequented by common ea-going vessels."

The reason we move this amendment is because of the case of a Danish steamer, a couple of years ago, belonging to the United Steam Company of Copenhagen, which came into collision with a river boat on the Scheldt. As stated by the said Company in the printed representation to the Danish Government, now laid before the Conference, there are special Rules on the Scheldt, which, so far as concern lights, provide that vessels shall carry a red lantern on the stern, and a green lantern hoisted on the fore part of the ship. The Danish steamer came in during a fog, and the fog prevented her from seeing the green lantern hoisted on the fore part of the vessel, whereas she observed the red lantern astern, which she mistook for the red side-lantern of an ordinary steam-boat. In addition to this, the Rules of the Scheldt prescribed that in foggy weather or in dark weather the river boats under way should ring the bell. This is the present Regulation of the Rules of the Road, Article 12, and signifies a vessel at anchor. Therefore, the Danish steamer could not understand by the ringing of the bell that the river boat was under way. It resulted in a collision, and the consequence was that the Danish steamer had to pay an indemnity. The matter was discussed before two Courts. The Court in Antwerp was in favour of the finding that the captains were not in fault, but the Court above came to another result. This does not matter much. I only state the fact that the Rules on the

cheldt are so different from the Regulations or Rules of the Road; and that as a consequence thereof a sea-going vessel which enters the river is liable to accident, as it is, of course, impossible for a steamer coming from sea to change the prescribed signals of a white top-lantern and a green and red side-lantern to a red top-lantern and a green lantern astern, according to the Regulations of the Scheldt. We certainly admit that local Rules must be permitted. There are regions where it is necessary to have local Rules. I will mention what has been said in the paper which I take the pleasure of presenting to the members, that in rivers there are several instances where there must be special Rules, especially where vessels shall follow fixed routes in a fair-way, or go with special speed, &c. But it is very much to be regretted that such Rules as the above should be carried out, or be valid in that part of the fair-ways where the sea-going vessels come. Therefore it is our proposition, in regard to Article 25, to provide that special Regulations must not, additional signals excepted, deviate from the Regulations regarding lights and fog-signals in so far as concerns fair-ways also frequented by common sea-going vessels.

Mr. Verbrugghe.—Mr. President, I beg to be allowed to add a word to what the honourable Delegate from Denmark has just said. It is perfectly correct that on the Scheldt there are special Rules, which very likely seem strange to every one of the Delegates. The reason is this. The navigation of the Scheldt is controlled by two Governments, according to a Treaty of 1839, namely, by the Belgian and the Dutch Governments. In that Treaty it is stated that all Rules for navigation should be the same on both parts, consequently any change must be agreed upon. Our Government has been trying for a long while, and we hope soon to reach that end, to have the Universal Rules adopted, towards which I hope this Conference will be a great step. There is one more remark I have to make. The Rules referred to by my honourable colleague are those of March 1854. But all of the Courts have admitted that sea-going ships may keep their lights up to the town, and in every part of the river; but river boats and boats for inside navigation are bound, as was just stated, to keep their lights. There is a dualism in the lights on the river which we wish by all means to get rid of as soon as possible. Therefore, I support the proposition made by the honourable Delegate from Denmark that, as much as possible, none of these Rules should be allowed to interfere with the Rules which the Conference will lay down on this present occasion.

Mr. Goodrich (United States). Mr. President, in accordance with the suggestion which I made at one of the earlier sittings of the Conference, it seems to me that this is an unnecessary Article in these International Rules, and that all the purposes of the Conference would be better subserved by striking it out altogether, because we are making Rules for the government all navigable waters. This is an International Code for the government of all navigable waters. If any nation having the control, as it naturally has, over its inland waters or the waters within 3 miles of its coast, desires to except such waters from the operation of the International Code, it can easily do so when it adopts the Report of the Conference. It can, in the Act which adopts the Regulations, except its own waters from the operation of the Code. It seems to me that this Article is entirely unnecessary. I do not see what place it has in an International Code. I will call the attention of the Delegates again to the fact that, when the United States adopted the English system of 1879, it made a special exception, in its adopting Act, by which the waters of the United States—the harbours, lakes, and inland waters—were excepted from the operation of the Act. What place has this excepting clause in an International Code?

Mr. Verney (Siam).—Mr. President, may I venture to suggest a reason in answer to the learned Delegate from the United States? I understand that these Rules of the Road are to be put in the hands of every seaman, and, it has been said, of every master mariner. I venture to state than an Article of this kind will be a kind of a warning to sailors whenever they come into narrow channels; and it may be serviceable in that way, if not in the sense indicated by the Delegate.

Captain Mensing (Germany).—Mr. President, I think it is certainly advisable to have such local Rules, and that it will be absolutely necessary to have them in crowded waters, and in such places where the deviation from the International Rules would become necessary. At the same time I think it is rather hard to give a sailor such Rules without giving him due notice of them. What is a sailor to do when he comes up a river? He finds that, when going up the river, he will have to comply with certain Rules that have been given out just for that district, or that part of the river. I think that, on the River Thames, certain Ordinances have been given which seriously interfere with the Rules as we have them internationally. Therefore I think it might be a good thing, if such local Rules should be given, that they should be brought in a proper way to agree with the International Rules, and I think it could be easily done.

Mr. Garde (Denmark).—Mr. President, I may, perhaps, call attention to the fact that neither Norway, Sweden, nor Denmark has made use of Article 25 to issue local Resolutions that deviate in the matter we speak of from the Rules of the Road. Therefore, according to our experience, we cannot see the necessity of such a deviation. We know perfectly well that they exist, and also are acquainted with the fact that the practice has been going on for a number of years, and it is always difficult to change an established practice. Therefore we have limited our proposal to saying that they shall not come in contradiction nor deviate from these Articles, the additional lights and signals excepted.

The President.—If there be no further amendments to Article 25, the Conference will proceed to the consideration of Article 26.

Captain Mensing (Germany).—Mr. President, I would like to call the attention of the Conference to the fact that if we should make the giving of sound-signals obligatory, from a naval point of view, I think it would be necessary to make an addition here so that fog-signals will have to be used by the fleet or navies in case of a fog. I think it could be easily framed in such a way that it would make mistakes nearly impossible, and I think it is absolutely necessary. I have been instructed by the Secretary of the Navy of Germany to say that he would think it impossible to get along without them. I think that this Article refers only to signal-lights carried by ships of war. There are other

lights which have been approved by the Board of Trade in London, but the honourable member from the Netherlands, I believe, intends to bring that to a vote, and I simply wish to say that I indorse it.

Captain Hubert (the Netherlands).—Mr. President, as there are many Steam-ship Companies which have adopted distinguishing lights for ships of their Company, I desire to suggest:—

"Nothing in these Rules shall interfere with the operations of any special Rule made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy, or the exhibition of recognition signals adopted by ship-owners for their ships, duly registered and published to all foreign nations, provided that the said signals are not so arranged as to cause confusion or mistake."

Mr. Hall (Great Britain).—Mr. President, I think I may say that there is nothing whatever at present to prevent men-of-war from signalling one another. There is nothing in the Rule which makes it unlawful so long as they do not interfere with the Rules for Preventing Collisions at Sea. They can use their own private signals, and they do use them habitually.

The President.—Are there any further amendments to Article 26? The Chair hears none. The Conference will proceed to consider Article 27.

Captain Shackford (United States).—Mr. President, I have an additional Rule here, which, I suppose, ought to come in after Article 22, which I submit for the consideration of the Conference:—

"That it shall be made compulsory for steam-ships in fogs, mists, or falling snow to immediately stop upon hearing ahead, or on either bow, a horn, whistle, or other signal, until by the exchange of additional signals, or otherwise, the location and course of the approaching vessel can be safely determined."

I merely want to add that this Rule is enforced in the waters of Long Island Sound. We have a stretch of from 100 to 120 miles of sound and we have on these routes a great deal of fog. This is a Rule which prevails universally on passenger steamers. Whenever our steamers hear, either ahead or on either bow, a whistle or a signal, they immediately stop until they locate the whistle and ascertain in which direction she is going and whether they are crossing, going in the same course, or in an opposite course.

Mr. Verney (Siam).—Mr. President, may I ask the Delegate from the United States whether by "stopping," in that Article, it means to stop the engines or stop the boat?

Captain Shackford (United States).—Stop the ship entirely; stop the ship's way.

The President.—Article 27 is still before the Conference. There are no further amendments to that Article.

Mr. Goodrich (United States).—Mr. President, there seems to be a little diversity of opinion as to what certain words in Article 23 mean. The Article reads:—

"In obeying and construing these Rules due regard shall be had to all dangers of navigation and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger."

Of course the words "obey these Rules" refer to the construction which the sailor puts upon them. Some question has risen in the minds of the members of the Conference as to what "dangers of navigation" include. Of course the Article has additional words. They are, "under special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger." Some members of the Conference believe that dangers of navigation are confined to such cases as shoals, currents, rock, and wrecks, fixed dangers to navigation. Another construction of the Rule includes dangers of navigation which arise from manœuvres of approaching vessels. Of course I am not asking in this connection for the legal construction of the words, but I am asking and would like to hear from nautical men what they include in the words "dangers to navigation" as they obey these Rules. Because it is possible that there may be some additional words necessary to define what these words really mean.

The President.—If there be no further suggestions or amendments with regard to Article 27, which is the last Article, and finishes this subject——

Captain Sampson (United States).—Mr. President, I had hoped that some of the other members of the Conference would answer the question which has been asked by the Delegate from the United States. This question arose between us in the consideration of this Article this morning. He has pointed out to me some decisions of the Courts which would seem to imply that a ship under way was a danger to navigation, as the words are used in Article 23. I think that seafaring men generally restrict the meaning of these words to cases which he has cited—rocks, wrecks, and shoals, and other obstructions of that nature—and that a ship under way, even though she may be in so close proximity as to make a collision imminent, would not come under this Rule as a danger to navigation.

Mr. Hall (Great Britain).—Mr. President, I may say, with regard to the construction of this Article in our Courts, that we have not limited the words in any way whatever. I apprehend that the Courts would take the danger or risk of a collision certainly as one of the dangers of navigation, and not merely confine these words to rocks and dangers of that description. The danger of a collision with another vessel, according to our view, would certainly be included in the dangers of navigation. My best reason for saying that is this: that when a vessel, to avoid a collision, has infringed one of the Steering and Sailing Rules, it is very often upon the construction of Article 23 that she seeks to excuse herself for having gone outside of the other Rules. This points clearly to the fact that the risk of a collision is a "danger of navigation" within the meaning of that clause.

Captain Sampson (United States).—Mr. President, I would add that to my mind it appears that

this Rule was formulated to show that the Rules which had preceded it were not to be followed when a ship was liable to come to grief from following these Rules. That is to say, if a ship is beating up in a narrow channel, it of course becomes necessary for her to tack ship when she is close to the opposite shore; and if, in doing so, she goes contrary to any of the preceding Rules, it is a sufficient excuse that she is avoiding a danger of navigation.

Mr. Goodrich (United States).—Mr. President, of course my question was addressed not to the construction of the Courts so much, although I think the suggestion of Delegate Hall agrees entirely with my own opinion; but the question is as to what nautical men, outside of lawyers, think of the construction of the language of the Rule when they construe it in the course of their business. Do such gentlemen understand that the dangers of navigation include the risk of a collision, as laid down in this Rule?

Captain Malmberg (Sweden).—Mr. President, certainly not; not the risk of a collision with another vessel.

Mr. Hall (Great Britain).—Mr. President, I may quote the case of the "Benares," which will be found reported in our Reports. In this case the ship, instead of slacking her speed, or stopping, or reversing her engines, put her engines on full speed ahead. But the evidence was that that was the only way to avoid a collision. The vessels had got so close together that if she had obeyed Article 18, which is to slacken, or stop, or reverse, she would have made the collision worse. The Court held that under Article 23 she was justified in disobeying Article 18, and that therefore she was justified in going on at full speed ahead under the peculiar circumstances of the case.

Mr. Goodrich (United States).—Mr. President, I really press for an expression of opinion from these nautical gentlemen as to what they understand by "the dangers of navigation." We are quite anxious to hear the opinion of seafaring men. I really hope that some of these experienced nautical gentlemen will give to the Counsellors, who may have some difficulty in framing this Rule, the views which they have about it. I desire to press the matter upon you, Gentlemen.

Captain Malmberg (Sweden).—Mr. President, I misunderstood the question of Mr. Goodrich, because, when there is any danger of collision, and by departing from the Rules laid down in the preceding Articles, you can avoid it or try to avoid it, then it becomes proper under this Article 23. It might perhaps be the only safe way to get out of a collision to disobey the Rules as contained in the former Articles. I mean that, instead of having to keep a ship to starboard, it might be that the only way to prevent a collision is to go to port. Then I would certainly do so. I must then throw away the preceding Articles and do whatever my experience tells me to be the only way to get out of a collision.

Admiral Bowden-Smith (Great Britain).—Mr. President, as the learned Delegate from the United States called for an expression of opinion from sailors, I will speak only for myself. I have great difficulty in answering, because I do not myself see any difficulty in the application. My idea is that it embraces all dangers of every kind, whether floating or not. I came out here the other day in the "Teutonic," and we beat the "City of New York." I saw in the papers afterwards that the "City of New York" had been run ashore by the pilot, and that he had run her ashore because a small boat was in his way. I do not know whether that was the case or not. I merely state what I saw in the papers. I should think that if a small boat was in the way of the "City of New York," the "City of New York" ought to have run her down in preference to going on the bank.

Mr. Verbrugghe (Belgium).—Mr. President, the learned Delegate from the United States called for an opinion from every one of us, so I feel bound to give him my opinion. What are these Rules? These Rules were only framed lately, whereas for many years at sea it was the practice of seamen to apply them, and they have been framed on that practice. The Article we are discussing is, according to my opinion, the most important of all. The Rules say, for instance, that one ship has to get out of the way of another ship under certain circumstances. Of course all cases cannot be foreseen. It is not possible for a rule to be laid down for every case, neither is it possible that the law foresees every case. The Judge has to go intimately into the particulars and consult his own judgment and his own logic about the thing; so has the sailor. Delegate Goodrich said very well that there were two ways of interpreting these Rules—one on the deck of the ship and the other before the Courts, with the green cloth about you; but all this means, in my opinion, that the sailor must see whether obeying the Rules is the proper way to avoid another ship. Therefore I consider that it must be maintained that he is authorized to disregard the Rules if he judges that under the circumstances the ordinary way of obeying the Rules would not be the proper way to avoid collision.

Admiral Viel (Chile).—Mr. President, we have many channels and bends which are very narrow in the Straits of Magellan. A British vessel, the "Cotopaxi," met a German vessel in one of those channels; they manœuvred in a manner to run into each other, but fortunately all hands managed to save themselves after the collision.

I would, therefore, propose that vessels should notify each other by blowing a whistle that they have entered a channel. I take the liberty to propose that there be added to the paragraph the following: "That vessels entering a channel or a bend should announce their presence to each other by blowing their whistles a certain number of times."

Captain Richard (France).—Mr. President, in France we consider that Article 23 gives to the navigator, when a collision is imminent, the liberty to depart from the Rules, which, in his judgment, would inevitably result in a collision. In our judgment this Article seems, in that respect, to have a clear and definite meaning. After having laid out the Rules of the Road their authors felt that these Rules, although well adapted for vessels which sighted each other at a certain distance, were no longer sufficient when two vessels came so near to each other that collision seemed imminent. They felt that at that dangerous moment the Rules should be dispensed with in order to leave to the commanders of approaching vessels the liberty of judging for themselves, and on their own responsibility, whether the ordinary Rules should be set aside. In the presence of imminent danger the liberty to manœuvre is given back to him.

I wish to dispute the allegation from a legal stand-point that collision is not a danger of navigation. I cannot see how a danger, which frequently drags to the bottom of the sea both vessels and crew, should not be called a danger. The danger exists, a real and evident one, and it would be a very serious matter to limit the meaning of Article 23 and thus deprive the masters of vessels from doing all that is possible in human power to avoid collision.

Our colleagues of the British Delegation have felt this, and have proposed Article 22 of the amended Rules. Am I in error when I suppose that they wish to make more explicit the idea that when a collision is near, the action of the Rule ceases, and that every one should make use of all his powers and of the liberty of his judgment and understanding to avoid a collision which is imminent?

Mr. Flood (Norway).—Mr. President, I will take the liberty of asking the Conference if it would not be possible amongst the Sailing and Steering Rules to mention also how to behave whenever you meet a disabled vessel. I mean when a vessel under steam or sailing meets a disabled ship. I will not exactly propose the Article, but I will simply throw out my idea and ask the members of th e Conference here to assist me in solving the question. I would like to propose that in Article 22 an Article should be inserted, or an amendment, or something of that kind, which should state simply:—

"A vessel under steam or sail shall always give way to a disabled ship."

Mr. Goodrich (United States).—Mr. President, provided she knows it.

Mr. Flood (Norway).—Mr. President, of course that is understood.

Captain Shackford (United States).—Mr. President, I want to say a word in regard to the construction of Article 23 by Captain Sampson. That is the way I have always construed the Rule. I have always supposed that it referred entirely to shoals, rocks, wrecks, &c., and I think that this is the opinion among merchant sailors generally.

Mr. Hall (Great Britain).—Mr. President, if it be narrowed down to that construction still the Rule is quite sufficient, because it adds, "and to any special circumstances." So, if the sailor thought that a danger of navigation did not include a collision between two vessels, I should think this provision would provide for it. I should think that there could be no more striking instance of the dangers to navigation than that of two vessels coming in collision with one another.

Captain Shackford (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain, if the Rules refer to anything except shoals, &c., why the last words were added, "and under special circumstances"? Why would not the dangers of navigation cover it all under his interpretation?

Mr. Hall (Great Britain).—Mr. President, I will answer that at once. I stated what I believed was the construction of the Courts of Law upon it, and not what my construction was. The Delegate will find the case referred to, which I have quoted to-day. I apprehend that these words, "and to any special circumstances," were introduced for a very good purpose, and we now see a very good result following from it, so that there should be no doubt in the minds of sailors or anybody else as to the meaning of the words, "dangers of navigation." To prevent the possibility or risk of anybody misunderstanding these words, they add the words, "and to any special circumstances," so as to be perfectly certain to cover the whole ground.

Captain Sampson (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain, if Article 23 covers the ground that has been stated by a number of Delegates, why is it necessary to add the Article which has been proposed by the Delegate from Great Britain as No. 22? In these Rules it is incumbent upon one vessel to avoid the collision, and the duty of the other vessel is prescribed. Now, under Article 23, evidently she is at liberty under particular circumstances to depart from the Rules which have been laid down; and that Rule covers all cases, that is, if dangers of navigation are to include ships under way; then why does it become necessary to elaborate that meaning of Article 23 by adding the introduction contained in the proposed new Article 22?

Mr. Hall (Great Britain).—Mr. President, I will answer that it is for this reason: This new Article 22 certainly would not have been necessary, in my opinion, under the old Rule. It has been proposed for the reason that we propose to change the Rules to provide that the vessel should "keep her course and her speed." The result of that case is that we have to alter the existing Rules. Having proposed such an alteration as we have done, we have thought it desirable to put in a special Rule, which should impress upon the minds of seamen that, although they are to keep their speed as well as their course, yet, if they should be getting near one another, then they ought to act individually. I quite agree with the criticism of the gallant Delegate from the United States who has just spoken, and, in my opinion as a lawyer, I think it would be included under Article 23. But we have thought that it would impress it upon the minds of seamen and prevent it from being open to any doubt. I am glad to find that we are justified by the discussion which has just taken place with reference to the meaning of the words, "dangers of navigation," so that there should be no doubt in the minds of seamen. Some sailors might say, "Well, I do not consider that this is within the meaning of this Rule." We have endeavoured to eliminate all doubt and to impress upon the minds of seamen that they are bound to act under the circumstances referred to in the Rules. But I quite agree with the criticism which has been pointed out.

Captain Shackford (United States).—Mr. President, I would like to ask why it would not be advisable to eliminate Article 23 and allow no departure from the Rules?

Mr. Hall (Great Britain).—Mr. President, I confess that is a proposition which I have not thought of for one moment. It has never been suggested in any case that I have come across in my experience in Court. Such a Rule really cannot lead to any harm.

Captain Shackford (United States).—Mr. President, as the Article stands at present, it does not seem to have any authority to tell us when we are to deviate from the Rules until the Courts decide whether we have done right or wrong in deviating from them. It seems to me there ought to be

some inteapretation to make it a little clearer when we should deviate from the Rules which we are making here.

Mr. Flood (Norway).—Mr. President, let me make one little suggestion about Article 27 in regard to giving signals of distress at night. It says that a gun may be fired at intervals of about one minute. I would suggest that one minute is a very short interval on board of a ship to fire a gun. Sailors, as a rule, are not very expert gunners, and have not many small guns on board of sailing-ships. I suggest that it would be better if we could stretch that one minute a little and make it at intervals of not under five minutes. This is merely a matter which I take the liberty of mentioning to the Conference, and would suggest that somebody should assist me in properly wording this motion.

Captain Sampson (United States).—Say "at short intervals."

Mr. Flood (Norway).—Mr. President, I would prefer "short intervals" to anything else. But if the time is to be mentioned it should be "not less than five minutes;" because I do not think it would be practicable on a small vessel to fire the signal oftener than once in five minutes. I speak of this for this reason, that I have known of a case where they were firing guns under this Rule, and a terrible accident happened in putting the powder into the gun while the barrel was hot. The whole thing burst and the man was killed.

Lieutenant Beaugency (Chile).—Mr. President, I would suggest that there should be an addition to the Rules to provide for foggy weather, so that it would read, "in the day-time or in foggy weather."

Captain Hubert (the Netherlands).—Mr. President, I wish to add to these signals also the permanently blowing of the whistles, if a steamer, as long as possible, or the permanently ringing of the bells.

Mr. Goodrich (United States).—Mr. President, the continuous ringing of the bells.

Captain Salvesen (Norway).—Mr. President, I see in the third section of the signals at night: "Rockets or shells throwing stars of any colour or description fired one at a time at short intervals." I do not know how it is, but in the revision of our Rules "throwing stars" is omitted. I would like to know if it was the International Rule. I think that in the Rules of some other countries they are also omitted.

Captain Malmberg (Sweden).—Mr. President, the reason why these signals of distress by rockets with stars were instituted was that there was a steamer belonging to the Lloyd Company named the "Schiller" which was lost near Land's End. It was at night and in foggy weather. The coast-guard saw the rockets fired several times during the night, but he took it to be one of these Company signals, and did not go to assist the ship. After that it was put in the Rules that rockets throwing stars should be used as signals of distress.

The President.—Are there any further amendments to Article 27? The Chair will state that this finishes the consideration of the preliminary subject, the Rules of the Road. The Chair is ready to hear suggestions as to what shall be the next business to come before the Conference.

Captain Shackford (United States).—Mr. President, I would like to offer a substitute for Article 8. I would like to see some kind of light for vessels at anchor which cannot be mistaken for anything else. Perhaps some one else may devise a better system. I propose here a substitute for Article 8:—

"A ship, whether a steam-ship or a sailing-ship, of less than 100 feet in length, when at anchor, shall carry, where they can best be seen, but at a height of not less than 10 feet above the hull, a white and red light, 30 inches apart, the white light directly above the red; both lights to be so constructed as to show a clear, uniform, and unbroken light, visible all around the horizon at a distance of at least 2 miles.

"All vessels of over 100 feet in length to carry the light described in above section forward of the foremast; at the aftermost peak two lights of the same character, but with the white light directly below the red."

Mr Goodrich (United States).—Mr. President, I want to state that the Secretary desires to have reduced to writing and handed in during the day, or before 12 o'clock to-morrow, any proposed amendments which have not been written out in pursuance of the rule of order adopted by us a few days ago.

I have received a letter from New York from a gentleman there who desires to have the following offered as a substitute for Article 11. Of course, it is quite inconsistent with some of the other Articles which have been offered, but I will offer it, as I have said before, for the purpose of having this gentleman's views brought up before the Conference.

The President.—Do you offer it as your own suggestion?

Mr. Goodrich (United States).—Mr. President, I shall have to father it for the present, Sir. I do not commit myself to it at all, for it is inconsistent with certain other Rules.

The proposition is as follows:—

"Any vessel, whether stationary or under way, being dangerously approached or overtaken by any steam-vessel at night, may exhibit a lighted torch or flare-up light upon the quarter to which that steam-vessel shall be approaching, and if under way, shall keep her course and speed. Every steam-vessel approaching another vessel at night shall, upon the exhibition of such torch or light, slacken speed if necessary, stop, or reverse, failing which such vessel shall be liable to a penalty of 500 dollars, to be recovered by the informer, and for which the vessel shall be liable to be seized and proceeded against by customary process in any Court having Admiralty and maritime jurisdiction.

The President.—The Chair desires to know what will be the business before the Conference, the preliminary part of the present subject having been disposed of?

Mr. Hall (Great Britain).—Mr. President, I was going to ask if we could have any information as to when we shall have the whole of the amendments in print. When will they be delivered to the members of the Conference?

The President.—If all of the amendments are in by noon to-morrow, the Secretary informs me that they will be ready in print on Thursday morning.

Mr. Hall (Great Britain).—Mr. President, could we be informed as to the amendments handed in on Friday last, and whether we would be able to have them at any earlier date than that?

The President.—They have already arrived.

Mr. Goodrich (United States).—Mr. President, I suppose that we are in a condition to commence upon the several amendments on Thursday morning, and, unless some gentleman has something else to propose, I will make that proposition.

Dr. Sieveking (Germany).—Mr. President, on behalf of the Committee of which I have the honour of being Chairman, which is intrusted with the comparing of the different texts, I beg to say that this work is greater than we expected, because there are a great many differences, and we are trying to get them all together so as to make it quite clear what the differences are. I do not think we can finish it up before the end of this week. It would be scarcely possible. We have had several sittings already and we have only got up to Article 9. Now I beg to suggest whether it would be of any use to continue our sittings here before we get this Report, because one of the first amendments which has to be discussed in the order of the Rules will be the preamble or preliminary which the German Delegation has proposed. It will be important to know what are the different Regulations. I think it is very doubtful whether we could proceed to advantage with this Article before the Report of the Committee on Lights is at hand.

Mr. Goodrich (United States).—Mr. President, how would it do to take up an entirely different branch of the subject, say, for instance, the Steering and Sailing Rules, and leave the subject of lights and fog-signals for later discussion?

Dr. Sieveking (Germany).—Mr. President, would it be a good thing for us to take the Articles out of order? How could we properly discuss the system of Steering Rules without being perfectly assured in regard to signals and lights?

Mr. Goodrich (United States).—Mr. President, the suggestion is made by one member of our Delegation that the Conference might take time by adjourning until Monday and allowing these Committees to have time to report.

Dr. Sieveking (Germany).—Mr. President, by that time our Committee would be ready to report. The amendments, of course, will be printed by that time.

The President.—Could the Report be printed by that time?

Dr. Sieveking (Germany).—Mr. President, we shall get our Report printed by that time.

The President.—The Chair desires to announce the Committee on Systems and Devices, as follows:—

Belgium, Mr. Verbrugghe; France, Mr. Vetillart; Great Britain, Admiral Bowden-Smith; Mexico, Commodore Monasterio; United States, Mr. Kimball.

Mr. Goodrich (United States).—Mr. President, for the purpose of testing the sense of the Conference, I move that the Conference adjourn until Monday at 11 o'clock.

The motion was put to the Conference, and unanimously carried.

The Conference thereupon adjourned until Monday morning, 28th October, 1889, at 11 o'clock.

Washington, Monday, October 28, 1889, 11 *o'clock* A.M.

THE Conference was called to order, Rear-Admiral Franklin in the chair.

Admiral Bowden-Smith (Great Britain).—Mr. President, before the Conference proceeds to business, may I ask you for a ruling on behalf of the Committee on Systems and Devices. On behalf of my colleagues, I wish to ask you to rule that after to-day no fresh matter must be brought before us, because if matter is continually brought in for the next week or two, we shall never be able to get the Report before the Conference.

Mr. Goodrich (United States).—Do I understand the proposition to be to exclude all matters which are not already before the Committee on Systems and Devices?

Admiral Bowden-Smith (Great Britain).—I desire that it should be ruled that nothing more should be brought before our Committee after to-day, so that we might close our work and get our Report before the Conference.

Mr. Goodrich (United States).—I desire to ask whether there should not be fair public notice given of such a proposition as that.

Admiral Bowden-Smith (Great Britain).—It has been well known for the last year that this Conference was going to meet, and surely there has been time enough for inventors to think over these subjects.

Mr. Goodrich (United States).—I would rather suggest a delay of a couple of days. There might be valuable plans presented.

Admiral Bowden-Smith (Great Britain).—If my colleagues will accept the amendment for a couple of days' delay, I have no objection.

Mr. Goodrich (United States).—Suppose we say that nothing shall be handed in after Wednesday.

Admiral Nares (Great Britain).—I might say, on the part of the Fog-Signal Committee, that we have practically agreed, on principle, in regard to the papers which have been put before us. We still

have a number of papers to look up, but from the very large number which we have already examined it is pretty certain there will be no further change in actual principle; but at the same time, if we are not to draw the line at the present day, we will be sitting there for a good many more days, and papers will be coming in continually. There is no end to it.

Vice-Admiral Kaznakoff (Russia).—Mr. President, the Committee on Lights is quite in the same position with the other Committees. We will never finish our work unless there is a limit put to the introduction of papers.

Mr. Verbrugghe (Belgium).—May I point out that an error has slipped into an amendment which I presented?

The President.—The question now is on the motion of the Delegate from Great Britain.

Mr. Goodrich (United States).—Would there be objection to limiting it to Wednesday? Then no criticism could be made upon the Conference as to an attempt to exclude the consideration of such matter. I doubt whether anything new will come in before Wednesday, but still it relieves us from criticism.

Admiral Bowden-Smith (Great Britain).—I accept that for myself, if my colleagues will do so.

Mr. Goodrich (United States).—Will the Admiral make that his motion? Public notice will be given in the papers to-night that anything which is not presented to the Conference or to the Committees on Wednesday will not be considered.

Captain Sampson (United States).—Mr. President, do I understand that this ruling applies to all three of the Committees which have been appointed?

The President.—The Chair rules that it shall only apply to the Committee represented by Admiral Bowden-Smith. He made the motion, and an amendment to it was made.

Admiral Nares (Great Britain).—On the part of the Fog-Signal Committee, I move that the motion refer also to it, and to the literature which the Fog-Signal Committee is to examine and report upon.

Admiral Kaznakoff (Russia).—I beg to have it apply to the Committee on Lights.

Captain Sampson (United States).—That includes them all. I think very properly it should apply to the Committees on Lights and Fog-Signals. But, as I understand it, the other Committee was appointed to consider devices which should be brought before it, and there might be devices which relate to other subjects than those of lights and fogs. It is possible that some person may desire to bring something before this Conference on the matter of life-saving devices, who has not done so because of the impression that the Conference would not consider those matters. We have commenced at the beginning of the Programme which the Delegates from the United States have prepared, and an impression may exist that we are not to consider some of the other parts of the Programme. I think that, possibly, if the Committee on Devices should hold over for a short time it would be better.

Admiral Nares (Great Britain).—May I suggest a way out of this difficulty? I readily see what the Delegates from the United States mean; but so far as the Committee which have done me the honour to select me as Chairman are concerned, you can let it close on Wednesday; and in regard to any fresh matters, if you see any necessary importance hereafter for arranging such matters, might it not be done? We have a great deal of labour before us already.

The President.—I am in accordance with that suggestion. The question recurs upon the proposition of the Delegate from Great Britain. The Conference, I presume, understand it. The question is upon the proposition that no matter be considered by that Committee which comes to the Conference after Wednesday.

Admiral Bowden-Smith (Great Britain).—That is my motion.

Thereupon the motion was put to the Conference and carried.

Admiral Nares (Great Britain).—I hope it will extend to the Sound-Signal Committee also.

The President.—Is that offered as an amendment?

Admiral Nares.—As an addition, if you please.

The President.—Is a similar addition offered by the Light-Signal Committee?

Admiral Kaznakoff (Russia).—Yes, Sir.

The President.—It is understood that, after Wednesday, the Committees shall be discharged from further consideration of the subjects which are now before them.

Thereupon the questions were put and unanimously carried.

Mr. Flood (Norway).—May I ask if there is still an opportunity to have amendments to the Rules of the Road printed?

The President.—The amendments might be placed in the hands of the Secretary, or they could be offered when the subject comes up again. It would be better to offer them now and have them printed, in order that the whole matter may come up for final discussion.

Mr. Flood (Norway).—I understand, then, that I am at liberty to hand over to the Secretary my proposed amendment?

The President.—You may do so.

Mr. Goodrich (United States).—Mr. President, will you permit me to make a suggestion? I think it would be well to offer them in Conference, and not simply hand them to the Secretary, so that every member can get his thoughts at work upon the subjects, even before they are printed, just as we did when we were running through the Rules in gross.

The President.—Before any amendments are considered, the Chair desires to read the following Resolution which has been handed in, signed by Admiral Oscar Viel, Delegate from Chile; Señor Matias Romero, Delegate from Mexico; Commander Jacobo Varolo, Delegate from Spain; and Señor Francisco Antonio Silva, and Señor Andrade, Delegates from Venezuela:—

"*Resolved,*—That such Rules, Regulations, and agreements as this Conference shall finally approve, be translated and published in the English, the French, and the Spanish languages."

The Resolution was presented to the Conference and unanimously carried.

Commodore Monasterio (Mexico).—Mr. President, as a member of the Committee on Invention I have been enabled to study and admire the diagrams made by Mr. Wharton, an officer of the British Navy, whereby a clear and distinct idea can be gained of all the circumstances under which vessel should manœuvre in order to prevent or avoid collisions, which manœuvres to perform when collision is imminent, and how to proceed to work; and also when a collision has become manifestly inevitable. The relative positions of the vessels, the speed and the length of each vessel, are factors whereby the point of collision can be determined; and by studying these diagrams one can obtain in a half-hour more knowledge than by ten years' service at sea. I therefore propose that there be distributed in this Conference copies of the work of Mr. Wharton, in order that its value may be appreciated. When a collision becomes almost inevitable, these diagrams teach a mariner what manœuvres to make in order to avoid it.

I think that, when a copy of that work has been presented to the members of the Conference, it will be appreciated by all the Delegates.

I therefore take the liberty to recommend the adoption of his work by all naval schools, where these diagrams will be placed in the hands of all those who are studying to become mariners, and also placed in the hands of the navies afloat, and of the Courts.

At the same time I propose to this Conference to send to Mr. Wharton a hearty word of congratulation for his brilliant and useful work, the use of which will be undoubtedly of great value to all mariners, and will tend to diminish false manœuvring.

The President.—Will the Delegate be kind enough to put his proposition in the form of a Resolution?

Mr. Verbrugghe (Belgium).—Mr. President, may I call the attention to the fact that an error has slipped into an amendment which I proposed for sound-signals? These two words, "being towed," have been omitted.

Mr. Goodrich (United States).—Which amendment is that?

Mr. Verbrugghe (Belgium).—It is the 83rd amendment.

The President.—The Resolution by the Delegate from Norway will be read.

"*Resolved*,—That the subject of the speed of vessels in thick weather be referred to a Special Committee, to be appointed by the Chair, to report data and their conclusions thereon to this Conference."

The President.—Is the Conference prepared to vote on that question?

Mr. Hall (Great Britain).—Mr. President, of course I have not had an opportunity to consider that proposition in all its bearings; but it appears to me to be quite at variance with the distinct Resolution of this Conference that matters of principle, certainly, should be dealt with by the Conference as a whole. I cannot imagine a greater or more important principle than that of the speed of vessels in thick weather to be dealt with by this Conference. In my mind that is one of the most important, if not the most important, subject that we have to consider, and I strongly object to the idea of referring such a very important question to any Committee, however it may be constituted. I think that we want the combined assistance of all the members of the Conference on that point, it being, as I say, to my mind a matter of such very great importance. I hope that the members of the Conference will adhere to the opinion they came to on a former day, that all questions of principle should be dealt with by the Conference as a whole, and not by any appointed body.

The President.—The Resolution of the Delegate from Norway will be read also in French.

The Resolution was read in French.

Mr. Goodrich (United States).—Mr. President, I think the unanimous opinion of the Delegates from the United States is adverse to the passing of this Resolution. I think that I myself suggested what the Delegate from Great Britain refers to, that the combined wisdom of the Conference on these topics was better than any judgment which could be arrived at by a few of the members. Besides, if the Delegates who would be appointed upon that Committee are absent on other duties while the Conference is in session, we should be deprived of the benefit of their suggestions. It is the old doctrine of the Pope and the peasant. The combined wisdom of the Pope and peasant is better than the wisdom of the Pope alone.

The President.—Is the Conference ready for the Resolution?

The Resolution was thereupon put, and was lost.

The President.—The Secretary will please read the amendment which has been offered by the Delegate from Norway.

The Secretary read the amendment as follows:—

"Every ship, whether a steam-ship or a sailing-ship, shall in a fog, mist, or falling snow, by day or night, or during heavy rain-storms, between sunset and sunrise, go at a reduced speed, which must not exceed half of her maximum speed, unless driven faster by the main force of the elements. The minimum speed for steam-ships and sailing-ships not to be compulsory under 5 knots.

"(*b.*) Every steam-ship with a maximum speed of over 16 knots shall, when in the vicinity of land, or when crossing frequented steam lanes and fishing grounds, under the same circumstances, reduce her speed so as not to exceed 8 knots."

Amendment to Article 13, proposed by Mr. Flood (Norway):—

Speed of ships to be moderate in a fog, &c., to be made Article 2; and the heading to read, "Speed of ships in fog, &c."

The President.—The amendment will be printed.

Mr. Flood (Norway).—Mr. President, my reason for proposing that Article 13 be made Article 2 and amended as proposed by me is this: I wish to indicate that the regulation of speed, particularly in foggy weather, is the true basis for safety of life and property on the high seas, and should be the fundamental rule on which light and sound systems should be built. I also think it fair to give the mariner to understand just what is meant by "moderate speed" as used in the present Article 13. There is a great difference of opinion about this. I think it is the duty of this august Assembly to give its decision as to what speed should be considered safe under the circumstances named.

The distinguished counsellors, the Delegate from Great Britain and the Delegate from the United States, have told us here that there are several law decisions about the matter. But how is a mariner to know this? The same learned counsellors have also shown us that the English and American decisions have differed in the most vital points. For instance, the meaning of the words "under way," found so often in the present Regulations. Allow me in connection with this to quote only a few lines of the Memorandum from the Northern Marine Conference of 1888, in which it says:—

"No explanation is given of what moderate speed means. In a collision suit (the 'Ville de Rio Janeiro' *v.* the 'Champagne') the Havre Tribunal of Commerce considered a speed of 14½ knots an hour justifiable in a Channel fog. In most other countries such a rate will probably be deemed excessive. For instance, in a Judgment in July 1888, by the German Reichsgericht a speed of 6 knots was deemed excessive. Seven knots was held by the Privy Council to be too high a rate of speed for an ocean steam-ship in track of ships 200 miles to the eastward of Sandy Hook. The Supreme Court of the United States has stated that the duty of a steamer under way in a fog is 'very low speed, just sufficient to subject the vessel to the command of her helm.' But there is, as it will be seen, so much diversion in this respect that it would be well if this question was taken up by an eventual International Commission."

I do not for a moment think that the wording of my proposed amendment is to the point or fully explicit. I think it my duty, however, as one of the Representatives from a country who commands a vast fleet of sea-going vessels, to point out what I consider wrong or not clearly defined in the present Rules of the Road.

Captain Shackford (United States).—I want to give notice that when Article 13 comes up for consideration, I propose to make a motion to eliminate it entirely from the Rules.

The President.—If there be further amendments to offer, they will be handed in so that they may be printed, and the Secretary will then be enabled to get on with his work more smoothly; as it is, the amendments are coming all the time, and it embarrasses him very much in his work.

Captain Van Steyn (Netherlands).—We proposed an amendment heretofore to Article 2, providing, "the lights mentioned in the following Article numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others." I omitted to take out Article 11. I now offer the following amendment:—

"The lights mentioned in the following Article numbered 3, 4, 5, 6, 7, 8, 9, and 10, and no others."

On Article 3 I handed in one amendment which I have not found among the printed amendments. So I now offer quite a new one. I propose now to make Article 3 read as follows:—

"A steam-ship when under way shall carry—

"(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull of not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side a green light so constructed as to throw a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 3 miles.

"(*c.*) On the port side a red light so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 3 miles.

"(*d.*) The said green and red side-lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow within a certain distance in front of the bow, say 100 metres.

"(*e.*) On her stern, at the same height as her side-lights, an irregularly occulting white light, so screened that it shall be visible over an arc of twelve points; that is to say, for six points from right aft on each side of the ship at a distance of at least 1 mile."

I should think it advisable that the side-lights and the stern-lights be placed higher than the lights of the cabin and sky-lights, and that the side-lights on board of every steamer be placed in the same way concerning the masthead-lights.

I want to offer another sub-amendment to Article 5, so as to make it read:—

"A ship, whether a steam-ship or sailing-ship, which from any accident is not under command, shall at night carry in the same position as the white light which the steam-ships are required to carry, and, if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line one over the other, not less than 6 feet apart, in front of the

foremast, at a height above the hull not less than the breadth of the ship, but never less than 20 feet above the hull, &c., three black balls——"

"(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in taking up a telegraph cable, shall at night carry in the same position as the white light which steam-ships are required to carry, and, if a steam-ship, in place of that light, three lights in globular lanterns of not less than 10 inches in diameter, in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character that the red lights shall be visible at the same distance as the white lights. By day she shall carry in a vertical line, one over the other and not less than 6 feet apart, in front of the foremast at a height above the hull not less than than the breadth of the ship, but never less than 20 feet above the hull, three shapes," &c.

In sub-amendment No. 41 it is proposed to have a long blast of from six to eight seconds. I wish to refer to a letter which I handed to this Committee on Sound-Signals in regard to this matter. We think it advisable to give a minimum distance at which the different instruments must be heard in clear, calm weather.

In regard to Article 11, we wish to take the whole definition of the English Delegation about the word "overtaken." I want to add it in Article 19.

In regard to Article 27, I propose to amend that to read as follows:—

"When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say: (1) a gun or any explosive signal fired at intervals of about a minute; (2) the International Code signal of distress indicated by N C; (3) the distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball; (4) a continuous blowing of the whistle or a continuous ringing of the bell. At night (1) a gun or any explosive signal fired at intervals of about a minute; (2) flames on the ship (as from a burning tar-barrel, oil-barrel, and so forth); (3) rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals; (4) a continuous blowing of the whistle, a continuous ringing of the bell, or showing so many lanterns one above the other that the signal cannot be mistaken for any signal existing."

We also suggest that vessels in want of a pilot have to display their national flags with a white border, or make the signal indicated by P T at the foretop.

At night, together or separately, the pyrotechnic commonly known as a blue light, every fifteen minutes, or a bright white light flashed or shown at short or frequent intervals, just above the bulwarks, about a minute at a time.

Mr. Hall (Great Britain).—Mr. President, I beg to move a Resolution with a view of enabling the Conference to go on with the discussion of the questions before it in consecutive order. It is clear that amendments and Resolutions will be handed in from time to time by the various members of the Conference; but, of course, it would interfere with any methodical discussion of the Rules if, as each amendment or Resolution is proposed, observations were addressed to the Conference in support of such Resolution or amendment. I therefore beg to move this Resolution:—

"*Resolved*,—That amendments or Resolutions of which notice is to be given *vivâ voce*, without comment.

"Secondly, That all resolutions with regard to the numbering of Rules or the collocation of Rules be postponed until the Conference have dealt with the principles in those Rules."

For this reason: it would be obviously premature to propose to number Article 6 or Article 7, or to strike out Article "(*a*)" and substitute Article "(*b*)," until we have really seen our way to determine the question of principle. Then the Conference can either deal with it as a whole or deal with it by a Committee; perhaps it might be a shorter and more simple method to deal with it by a Committee, when we have decided on the question of principle. I will therefore move my Resolution in order that we may be able to proceed with the business of the day upon the amendments of which we have had the proper notice, and which we are already discussing. I move the Resolution as follows:—

"That all amendments or Resolutions should be given *vivâ voce*, without discussion, and that all resolutions with regard to the collocation or numbering of the Rules be postponed until the principles of those Rules have been determined."

Mr. Goodrich (United States).—Will the Delegate allow me to suggest that he has made his proposition very broad. He states, "all amendments or Resolutions."

Mr. Hall (Great Britain).—I am very much obliged to the Delegate from the United States for calling my attention to it. I will say amendments upon these Rules. I will not say Resolutions, because that might refer to Resolutions regarding the conduct of business, &c.

"Notice of all amendments on these Rules in the future shall be given *vivâ voce* and be without discussion, and without introductory statements."

The President.—The Delegate from Great Britain, I understand, means all amendments to the Rules as we have been considering them.

Mr. Hall (Great Britain).—I mean any further amendments handed in to these Rules. I propose that they shall be given notice of *vivâ voce*, so that we shall have the advantage of the notice of any amendments, and avoid the discussion of the amendment. We should probably be discussing some particular Rule at the time, and it would, obviously, be most inconvenient if, in the very middle

of that discussion, some amendment should be made with regard to another Rule, and the discussion of that amendment should be entered upon.

The President.—Does the Conference understand the question to be that all matters to be proposed must be proposed *vivâ voce*, without comment, and then may be printed?

Mr. Goodrich (United States).—*Vivâ voce*, and then reduced to writing, as before stated.

Captain Sampson (United States).—May I offer as an amendment to that that any amendment to be offered hereafter shall be offered during the first few minutes of the meeting, if possible.

The President.—Those who are in favour of the amendment will say "Aye."

Mr. Hall (Great Britain).—I think that would be an addition rather than an amendment.

The question was put and carried.

Mr. Flood (Norway).—Mr. President, may I be allowed to propose an amendment to Article 21, to be printed in the usual form? The amendment is to Article 21, formerly headed "Sailing-ships and steam-ships in narrow channels." My proposition is that this Article 21 be divided into two sections, subsection "(*a*)" and subsection "(*b*)," to be headed "Sailing-ships and steam-ships in narrow channels," and to read—

"(*a.*) Every ship, whether a sailing-ship or a steam-ship, shall, before entering narrow channels, reduce speed as indicated in the proposed Article 2, sections (*a*) and (*b*).

"(*b.*) In narrow channels, every steam-ship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship."

Captain Shackford (United States).—Mr. President, I have some amendments. I would like to propose amendments to Articles 2, 3, 5, 7, 9, 11, 12, 13, and 16.

The President.—The Secretary will please read them.

The Secretary read the amendments of Captain Shackford, as follows:—

"Art. 2. The lights mentioned in the following Articles numbered , and no others, shall be carried in all weathers from sunset to sunrise.

"(*a.*) All running white lights mentioned in the following Article shall be visible on a dark night, with a clear atmosphere, at a distance of at least 8 miles.

"(*b.*) All running coloured lights mentioned in the following Articles shall be visible on a dark night, with a clear atmosphere, at a distance of at least miles.

"(*c.*) All anchor riding lights mentioned in the following Articles shall be visible on a dark night, with a clear atmosphere, at a distance of at least miles.

"(*d.*) All steam-whistles, or other efficient steam sound-signals, shall be of such power as to be heard in calm weather, over low ground, a distance of at least 2 miles.

"(*e.*) All fog-horns sounded by a bellows, or other mechanical means, shall be of such efficiency as to be heard in calm weather, over low ground, a distance of 1 mile."

"Art. 3. (*a.*) A sea-going steam-vessel, when under way, shall carry on or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship—*vessel*—namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible in a dark night, with a clear atmosphere, at a distance of at least 8 miles.

"(*b.*) On or abaft the after side of the highest mast abaft the foremast, and at least 15 inches away from the mast, a bright white light of the same power as the forward masthead-light, so constructed as to show a clear, uniform, and unbroken light visible all round the horizon.

"(*c.*) On the starboard side a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two (*five*) miles.

"(*d.*) On the port side a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two (*five*) miles.

"(*e.*) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow."

"Art. 5. (*a.*) A ship—*vessel*—whether a steam-ship—*vessel*—or a sailing-ship—*vessel*—which from any accident is not under command, shall at night carry in the same position as the white light which steam-ships—*vessels*—are required to carry, and if a steam-ship—*vessel*—in place of that light, three red—*white*—lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two—*three*—miles, and shall by day carry in a vertical line, one over the other, not less than 3 feet apart, in front of but not lower than her foremast head, three black balls or shapes, each 2 feet in diameter.

"Art. 7. Whenever, as in the case of small vessels during bad weather, the green and red side-lights cannot be fixed *near the deck, the ordinary side-lights that are to be carried by other sailing-vessels shall be carried high up in the rigging or at the masthead, and shall be fitted with inboard screens, projecting at least two feet forward from the light, as is provided in Article* 3."

"Art. 9. A pilot-vessel, when engaged on pilotage duty, shall carry the lights required for other *sailing*-vessels, and shall also exhibit a flare-up *red* light at short intervals, which shall never exceed *ten* minutes.

"Art. 11. A sailing-ship—*vessel*—which is being overtaken by another shall show from her

stern to such last-mentioned ship—*vessel*—a white flash light, visible at least 4 miles in clear weather.

"Art. 12. (*b.*) A sailing-ship—*vessel*—under way shall make with her fog-horn, at intervals of not more than one—*half*—minute, when on the starboard tack, one blast; when on the port tack, two blasts in succession; and when with the wind abaft the beam, three blasts in succession.

"(*c.*) A steam-ship—*vessel*—and a sailing-ship—*vessel*—when not under way shall, at intervals of not more than *one* minute, ring the bell *rapidly for not less than five seconds.*

"*(d.) A steam-ship—vessel—not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than one minute, two long blasts with an interval of about one second between them.*"

"Art. 13."

[When Article 13 comes up for consideration, I propose to have it abolished and repealed.]

"Art. 16. (*a.*) If two ships—*vessels*—under steam are crossing as to involve risk of collision, the ship—*vessel*—which has the other on her own starboard side shall keep out of the way of the other.

"(*b.*) *The vessel which according to this Rule must keep out of the way of the other shall change her course or slow in time to indicate to the vessel that is to keep her course how she proposes to keep out of her way.*"

The President.—The Chair understands the order of business for the day now is the second reading of the Rules of the Road for discussion and final action. The Secretary will be kind enough to read the first Rule of the Road and the amendment thereto.

The Secretary read Article 1 of the Rules of the Road as follows:—

"In the following Rules every steam-ship which is under sail and not under steam is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam."

Mr. Goodrich (United States).—It seems to me that we had better proceed to discuss the Articles, and not the headings, which, I understand, is the present order of business.

Mr. Verney (Siam).—Perhaps, in Dr. Sieveking's absence, I may be allowed to say that the learned Delegate from Germany thought it desirable in preparing these Rules that we should omit the headings and deal with them as the learned Delegate from the United States has just proposed,

The President.—If there be no objection, it will be so ordered.

The Secretary read the first amendment to Article 1, as follows:—

"Article 1. In the following Rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam."

Mr. Goodrich (United States).—It seems to me unnecessary to repeat the suggestions which were made when I presented this amendment. I think that the suggestions are fresh in the minds of all the Delegates. It is rather a verbal correction than an amendment proceeding upon any question of principle. It is to decide what these Rules refer to. The word "vessel" is a generic term; the word "ship" is a term of a limited character, and applies to the peculiar class of vessels which nautical men describe as a "ship." I do not know whether there is any objection to this amendment or not. In looking over the Report of the Committee on Material for Printing, I notice that Norway and Sweden have in their Regulations the word "vessel" as proposed by the amendment to this Article.

Mr. Hall (Great Britain).—I think that we are all of one mind with regard to the amendment proposed by the learned Delegate from the United States. I suppose, of course, that if this amendment is adopted by the Conference it will be necessary to carry the same word through all of the Rules, and I have no doubt that the learned Delegate from the United States will see that this is done. There is one matter which I would like to give notice of. It may be that it is too important a matter for the Conference to deal without notice. It is this: I have no doubt that the members who have studied this Article have observed that, although it deals with a steam-vessel which is not under steam nor under sail, it does not deal with a steam-vessel which is neither under sail nor under steam, but which is being towed. I think there can be no doubt among sailors that a steam-vessel being towed should put up her ordinary side-lights. But all doubt upon that point could be removed by introducing these words, after "under sail," "being towed." Make the Rule read—

"In the following Rules every steam-vessel which is under sail or being towed."

I apprehend that, on principle, there is no doubt in the minds of the Conference that a steam-vessel not under steam and not under sail, but being towed, should put up her side-lights. That would meet the suggestion which has been pointed out by members of the Conference that there is no provision at the present time for the lights to be carried by steam-vessels when they are under tow. It would involve no change whatever from any principle or any practice of seamen. Therefore I would make the motion. Of course, I do not wish to bring this amendment to a vote if any member thinks it requires any consideration; but I would suggest to add it to the amendment of the Delegate from the United States, and make the Rule read:—

"In the following Rules every steam-vessel which is under sail or being towed," that is, to insert the words, "or being towed," after the words "under sail." I support the amendment of the Delegate from the United States to use the word "vessel," instead of the word "ship."

Mr. Verney (Siam).—I beg to call the attention of this Conference to the fact that this word "vessel" has been defined as long ago as 1847 in English Acts of Parliament. I venture to ask if I might appeal to the learned Delegate from the United States, as this is a question of words, not a question of principle, to kindly allow this question to be deferred until some subsequent day, when the question of words will come up before a Committee which I have already spoken to him privately about.

I will state my reasons for this proposition. In the year 1847, in our Harbour, Dock, and Pier Act of 10 & 11 Victoria, the word "vessel" was defined so as to include boats, ships, lighters, crafts of every kind, whether navigated by steam or otherwise. The learned Delegate from the United States has stated that it is the largest generic term used in the Statute Books. In the Merchant Shipping Act of the year 1854 we come across a definition of the word "ship," and there again you will find that the word "ship" is very carefully defined, and it has been the subject of cases decided subsequently.

I venture, therefore, to suggest to the Conference to allow these words to stand over, and have the amendment discussed as a matter of principle. I venture to think that there are very strong reasons for thinking the word "vessel" and the word "ship" will find a place in these Rules, and their place will have to be defined according to the best use of the words, taking the cases and the Statutes into very careful consideration. I have to ask the Conference to hesitate before it accepts the word "vessel" throughout as applicable to all the Rules.

I may refer to one Article where, perhaps, the word "vessel" might be used. I think I should preface this remark by saying that the word "ship" has been defined, and has practically come to mean, under the cases decided, a sea-going vessel not propelled by oars only. A sea-going vessel has also been further defined as a ship whose real habitual business it is to go to sea. I will refer to Article 4, and venture to suggest that most of the Delegates present will say that, if we say a steam-"ship" towing another vessel shall, in addition to her side-lights, carry certain other lights, it might be well to define whether we mean by "ship" a sea-going ship, or a ship whose habitual business it is not to go to sea. I would venture to suggest that it might be wise to leave this matter for subsequent consideration by a Committee appointed to settle what the best words to be used are, in regard to these Rules.

Mr. Goodrich (United States).—Mr. President, I have listened with great attention to the remarks of the Delegate from Siam, but still I am under the impression that the Conference is prepared to act upon this proposition. We all concede that the word "vessel" is the broadest term used in the English language. The purpose of this amendment is to include every vessel of every kind. I do not see what we gain by postponing the consideration of this subject. I want to say to the Delegate from Great Britain that the use of his additional word suggests to me a decision which I think I have read in our own Courts, that a vessel being towed by a vessel is a steam-vessel, that it forms a part of one structure; not in every case, but in the case, for instance, of a steam-vessel towing another vessel alongside, the structure would be one. I remember cases where the subject of the requisite lights for that kind of a structure has been considered by the Courts. I suggest to him to consider what would be the effect of his amendment under these circumstances. As I understand the amendment, it is: "Every steam-vessel which is under sail or 'being towed.'" Suppose it was a vessel alongside of a towing-vessel, what would be the effect of it?

Mr. Hall (Great Britain).—Then I should say that the tug, of course, would have her head-light up, and that the vessel alongside of the tug would put up her side-lights. Most sailors would do that. I do not think there is any difference of opinion among sailors upon that point. Of course, I only speak upon this subject in order to have the assistance of the learned Delegates. I think I might make one further suggestion with regard to what the learned Delegate from the United States has pointed out. We are also familiar with decisions in our Courts with regard to this matter, and the Courts decline to sever the responsibility of the tug and the tow, when the tug is acting under the orders of the tow. But I do not think that we have any decisions whatever, or that any disputes have arisen, upon the question as to the proper lights which a steamer not under steam should carry when she is under tow of a steamer or a tug.

Of course, as the learned Delegate from the United States has pointed out, this is a matter which may require consideration, and, therefore, I would ask to give formal notice of it. It is rather an important matter to deal with, and if there be the slightest doubt upon it, I should much prefer to give notice of it and have it discussed as an amendment later on. Therefore, I will give formal notice of an amendment to insert the words "being towed" after the words "under sail" in the Article.

Mr. Goodrich (United States).—So as to make a new amendment to be disposed of hereafter?

Mr. Hall (Great Britain).—Yes.

Mr. Goodrich (United States).—There are two or three things, in my mind, right now, and I would like to suggest them to the Delegate from Great Britain. Suppose a steam-vessel is towing a sailing-vessel alongside. If the steam-vessel maintains her masthead-light, as she undoubtedly must, and both coloured lights, shall the vessel towing alongside also maintain both her coloured lights? Suppose a steam-vessel has a sailing-vessel on her port hand, shall the tug keep her starboard light and the sailing-vessel her port light only, or shall there be two separate sets of lights? Go further, and suppose a sailing-vessel is being towed astern on a hawser: shall both vessels keep both their regulation lights, or in case of a vessel being towed is a steam-vessel, shall she keep also her masthead light? These are questions which require very careful consideration, and all of them are involved in the amendment suggested by the Delegate from Great Britain.

Captain Bisbee (China).—I suggest there is another case, and that is the case of a steam-ship being towed, with a tug ahead and one alongside, both at night and by day. That occurs very frequently in the shifting of large mail-steamers in the Shanghae River.

Captain Shackford (United States).—Or with a tug on each side.

Mr. Hall (Great Britain).—I must obey the Resolution which I proposed myself only a few

moment's ago, "not to make any discussion upon amendments." I will give formal notice, therefore, that I desire to add these words, and it will come up for discussion at a later day.

The President.—I understand that the amendment to Article 1 lies over.

Mr. Goodrich (United States).—I do not understand it in that way. I understand the Delegate from Great Britain to say that the portion of it which we have already discussed, viz., the proposition as offered by the United States, is in a position to be voted on, although we may subsequently change it in accordance with the Resolution now offered by the Delegate from Great Britain. The principle involved in this Resolution may, as I understand it, now be adopted if the Conference sees fit.

Mr. Verney (Siam).—May I ask the learned Delegate from the United States to tell me whether his amendment as regards the word "vessel" is to run through all the Articles?

Mr. Goodrich (United States).—I suppose so.

Mr. Verney (Siam).—If it simply refers to this first Article, that is one thing; but if it is to run through all the Articles, that is quite a different thing.

Mr. Goodrich (United States).—That depends, of course, upon what the Article is. We are dealing with this proposition, which applies to this Article only, and not to the other Regulations. Where the same principle is applicable, there may be other Articles where the principle will not apply, and the Delegates will be swift to point out the difference.

Mr. Verney (Siam).—I thought the learned Delegate from Great Britain desired to have the word "vessel" substituted all through the Articles.

Mr. Hall (Great Britain).—I said that in adopting this amendment I assumed that the learned Delegate from the United States would see that the Rules were made harmonious by adopting the new word "vessel" for "ship," and I apprehend that will be done as a matter of course.

Mr. Goodrich (United States).—Wherever it applies.

Mr. Hall (Great Britain).—Yes. I think it most important that we should adhere to the use of one word, and it is for that reason I have given this amendment my support. I quite agree with the reasons which were given by the learned Delegate from the United States that we ought to have a generic term in use, and I apprehend that, having adopted that word, we should adhere to it and carry it through the whole Code.

Mr. Verney (Siam).—I would not have risen if I had understood that it only applied to this Article.

Mr. Hall (Great Britain).—May I point out to the learned Delegate from Siam that when any Rule is reached in which he is of opinion that the word "vessel" ought not to be used, he will be at liberty to raise the point, and I do not suppose that the members will require forty-eight hours' notice to be given as to every Rule in which the word "vessel" or "ship" shall occur? If any occasion arises in which the Delegate thinks it is not desirable to use the word "vessel" for "ship," then he will give the Conference his views on the subject.

The President.—Is the Conference ready for the question? The amendment of the Delegates of the United States will be read again for the information of the Conference, and it will also be read in French.

The Secretary thereupon read as follows:—

"In the following Rules, every steam-vessel which is under sail, and not under steam, is to be considered a sailing-vessel, and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam."

Captain Mensing (Germany).—I would simply like to state that in German the word "vessel" would be "Fahrzeug," and the word "ship" in German would be translated "Schiff." So that in our Regulations it would only mean that we referred to all vessels, whether large or small—ships of any kind.

The President.—Is the Conference ready for the question on the amendment?

The amendment was submitted to the Conference, and adopted.

Mr. Goodrich (United States).—Mr. President, one of our Delegates suggests to me that while there seems to be no objection to this on the part of any Delegate, it would be wise on all these propositions to call the Conference by Powers, so that there can be no mistake in regard to the matter.

Mr. Hall (Great Britain).—I do not know that it would be necessary to do that when it is unanimous. It is only when there is any difference of opinion that it might be desirable to have a vote.

The President.—It occurred to the Chair that where it was unanimous it would be well enough to let it go, and if there is any doubt about it to call the Powers.

The President.—The Secretary will read the amendment to Article 1 proposed by Mr. Hall, of Great Britain.

The Secretary read the amendment as follows:—

"Article 1. In the following Rules every steam-ship which is under sail and not under steam is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is to be considered a vessel under steam.

"'Steam-vessels' shall include all vessels propelled by machinery."

Mr. Hall (Great Britain).—I do not think it is necessary for me to occupy the time of the Conference at any length in making observations with regard to this amendment. I would state, as I have stated before, that the object is to include within the operation of the new Rules not only steam-vessels, as they existed when these Rules were originally passed, but modern vessels which are propelled by a motive power other than steam. I quite admit that if it be criticized it seems almost

anomalous that the term "steam-vessel" shall apply to vessels propelled by machinery, when we are fully aware that they are not propelled by steam at all. But what we want, really, is a definitive word, and if we made the word "steam-vessel" include all vessels propelled by machinery, it would avoid putting in the terms electric-vessels, naphtha-vessels, &c. I think that we can meet the difficulty by using the word which I have the honour to propose.

Mr. Goodrich (United States).—Mr. President, it has been suggested to me that the language suggested by the Delegate from Great Britain is subject to some confusion; that is, the use of the word "machinery." In one sense, sails are "machinery." In one sense, oars are "machinery." There are little vessels which I have seen on some of our inland waters which are propelled by a crank worked by the hand, and others propelled by a crank worked by the foot. We have little paddle-wheels, and the little paddle-wheel is worked by a treadle. Of course the learned Delegate does not mean to include that kind of craft in the words he uses. But a confusion might arise unless it is made a little more definite than it is made in the Rule. I have in my mind nothing to meet the objection, but I suggest to the learned Delegate that perhaps on reflection he may think of something which will exclude all that small kind of craft, which, clearly, is not within the meaning of his amendment. One of the gentlemen has suggested to me that, referring to this amendment, we should use the words, "shall include all vessels not propelled by sails or oars."

Captain Bisbee (China).—"Sails or manual power."

Mr. Goodrich (United States).—"Sails or manual power." I think the suggestion of the Delegate from China is a very good one. "All vessels not propelled by sails or manual power." Another Delegate suggests to me that that would exclude a vessel propelled by horse-power or by a horse.

Mr. Hall (Great Britain).—I think I may say that we foresaw most of the objections which have been pointed out by the learned Delegate from the United States; but it was for want of some better definition that we adopted the one which we did adopt. I did not think we could adopt the definition which has been suggested by the Delegate from China of "a vessel not propelled by oars or manual power." We thought of various definitions that might be used. We did not consider the case of what are called "velocipedes" in the water, because they are not generally met with at sea. Nor was the case of vessels which are propelled by horse-power, as on canals, considered by us; but we shall be very glad indeed if any Delegate can suggest a better definition. I can assure you that I do not look upon it at all in the light of a god-child. I think that we are all agreed in principle that it is desirable, now that we are framing these Rules, that we should have Rules which will include vessels propelled by the various motive powers besides steam, and if any one can suggest any better expression we shall be very glad to receive it. But, so far as I can see, the word "machinery" is inclusive. I do not think it could be said that sails were "machinery," or that oars were included in the meaning of the word.

Mr. Verney (Siam).—Perhaps I might remind the Conference that whatever is included in this definition would come within the other Article of a ship having to get out of the way of sailing-ships. If there is a small vessel such as is suggested by the Delegate from the United States it will, under the subsequent Rules, have to get out of the way of sailing-ships.

Mr. Hall (Great Britain).—Has any such vessel ever been seen at sea?

Captain Sampson (United States).—Mr. President, might I suggest that if we consider the origin of the original Rules, and the reason why the distinction was made in the first place between sailing-vessels and steam-vessels, it might perhaps assist us in this matter? It was not at that time deemed necessary to except or include boats or vessels of that sort in the general Rules. One Rule was made for a steam-ship because her motive power was such that she was under control under all circumstances when under way. Another Rule was made for a sailing-vessel because her motive power was such that her course was dependent upon the winds. It seems to me that it would meet the difficulty if this was worded, "Steam-vessels shall include all vessels not propelled by sail." I think hat would cover the whole ground.

Captain Mensing (Germany).—I think that the wording as proposed in the amendment by the Delegate from Great Britain is a very good one. I do not think that any objection has been brought against it, because, in my opinion, all sailing-vessels are not propelled by sails, but they are propelled by wind, and sails are simply a mechanical device by which the force of the wind is converted into motive energy for the ship. Therefore, I think there should be no objection to the amendment.

There is another little thing to which I would call your attention. If I do not mistake the meaning of the amendment, I should say that it goes to the point that wherever the words "steam-vessels" are used in these Regulations it will apply to ships moved by machinery. If that is so, the Article would read in this way: "In the following Rules every steam-ship or 'every ship propelled by machinery,' which is under sail and not under steam." Of course a ship driven by electricity is never under steam, and a ship driven by clock-work power is never driven by steam. This, of course, is a very little thing, but it is a thing which I would like to bring to the attention of this Conference. My knowledge of the English language does not go far enough to enable me to bring in a further amendment, because I think it is a most difficult one to word.

Mr. Hall (Great Britain).—I do not know but that it would be really a more efficacious and a shorter method for us to get through with these Rules if we should determine questions of principle first, and leave the wording of it to further consideration. I might suggest whether or not the Conference is of the opinion that the principle is correct, and we may be in a position later on to devise some words which may meet the objections that have been made. If so, and if we carry that principle, we can leave the actual wording until a later stage in the proceedings.

Mr. Goodrich (United States).—Your idea is to take a vote upon this as a question of principle?

Mr. Hall (Great Britain).—My idea is to take a vote upon the principle and not tie the Conference down to these words.

The President.—Is the Conference ready for the question?

Captain Mensing (Germany).—In regard to the principle only?

The President.—Yes, Sir; as to the principle only.

The motion was put by the Chair, and was carried.

The President.—The Secretary will be kind enough to read the next amendment in order, which is a proposition by Captain Salvesen, of Norway, as a substitute for present Article 2.

The Secretary read the substitute, which is as follows:—

"The lights mentioned in the following Articles numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, and no others, shall be carried in all waters, from sunset to sunrise."

Captain Salvesen (Norway).—Mr. President, I would like to state that this amendment has been wrongly printed, and is just the opposite to what I intended. I move that we go from it at once to the next amendment, which is correct.

Mr. Goodrich (United States).—Then you withdraw this amendment?

Captain Salvesen (Norway).—Yes, Sir; I withdraw it.

The President.—The Delegate from Norway withdraws his amendment.

Captain Salvesen (Norway).—Because the meaning is better given in the next page.

Mr. Goodrich (United States).—As a matter of Parliamentary practice I suggest that the Delegate from Norway make a motion to withdraw this amendment, so that the Conference may pass upon his right to withdraw it. Of course nobody has any objection to the withdrawal of this Article in the shape in which it is now, but a simple withdrawal of it might establish a precedent which will enable any Delegate who has proposed an amendment to withdraw it without the vote of the Conference.

Captain Salvesen (Norway).—Mr. President, will you allow me to move that this amendment, printed as second amendment, be withdrawn?

The motion was put by the Chair, and carried.

The President.—The Secretary will read Article 2, the amendment proposed by Captain Salvesen, of Norway, marked the fourth amendment.

The Secretary thereupon read as follows:—

"The Rules concerning lights mentioned in the Articles numbered shall be complied with in all weathers from sunset to sunrise, during which time no other lights, which may be mistaken for the lights above mentioned, are to be exhibited."

Captain Salvesen (Norway).—The present Article 2 of the Rules, according to my opinion, is intended to be only preliminary, and not to go into the details as to how the lights shall be carried or anything of that kind. The Article says: "The lights are to be *carried* and no others." Article 11, as it now stands, says that the light is to be "*shown*." The meaning of my proposal is only to say that the rules of these Articles in regard to lights, and how they are to be used, shall be complied with in all weathers, from sunset to sunrise. That is the point of the amendment. Article 2 now says that "no others," meaning no other lights, shall be *carried*. This I have amended by saying that "no lights which may be mistaken for the lights above mentioned are to be *exhibited*."

Captain Mensing (Germany).—Mr. President, the amendment proposed by the German Delegation has the same meaning as the amendment proposed by Captain Salvesen. It is simply in the manner of wording that there is a difference. I would like to submit to the consideration of the Conference whether the amendment of the German Delegation could not be taken into consideration at the same time with the amendment of Captain Salvesen. It is the fifth amendment.

The President.—If there be no objection, the amendment of the German Delegation will be read, and the Conferenee will determine whether it will consider it with the other amendment.

The amendment by the German Delegation was read as follows:—

"The lights mentioned in the foregoing Articles, numbered , and no others which might be mistaken for such lights, shall be carried in all weathers from sunset to sunrise.

The President.—If there be no objection, this amendment will be considered at the same time with the amendment of the Delegate from Norway.

Captain Mensing (Germany).—May I be permitted to say a few words in regard to this Article? There is a slight mistake, brought about by our not knowing the English language very well. I beg to state that we are of the opinion that it should say in the third line, "which might be mistaken" for such lights, instead of "which might be taken for such lights." As I said before, I think the meaning of the amendment proposed by the German Delegation is the same as that of Captain Salvesen, and I can, therefore, heartily indorse what Captain Salvesen has stated. I think that I should give the preference to the wording of our proposed amendment, because those who know this text by heart, as I know a great many people do, would be struck at once with the fact that there had been brought in an alteration according to the wording of Captain Salvesen. They would find, perhaps, that the expressions used there are strange to them, and they might think that the text had been more materially altered than is intended.

I think there can be no doubt that the lights should be excluded from all ships which might be mistaken for the lights of steamers. I would like to call the attention of this Conference to the fact that this is particularly necessary if it should be the opinion of the Conference that we ought to introduce range-lights. In the different systems which are proposed there are sometimes two lights visible and sometimes three, sometimes only one. As this should be made the great distinguishing feature of the range-lights, it will be necessary to provide that all such white lights be excluded. But it is difficult, and I think almost impossible, to exclude all these lights. For instance, if you take the

port-holes—they will be lighted up sometimes by an electric light, and the electric light may show through. I think it might be a good thing if these lights could be screened or so arranged that they could not be seen directly through the port-holes. But all that is a matter left for the action of the respective nations or their respective countries, and it is not possible, and perhaps not advisable, to adopt such Rules here in this Conference.

Captain Salvesen (Norway).—The Delegate from Germany has said that the meaning of these Articles is the same, but there is quite a different meaning in one respect. The German wording says that "these lights shall be carried." But the light in Article 11 is not to be carried. It is to be shown. According to my wording, they have to comply with the Rules; whether they are being carried or shown, it matters not. They have to comply with the Rules from sunset to sunrise.

Captain Mensing (Germany).—If there should be any such difficulty, I would say that I should prefer the amendment as it is proposed by the German Delegates, because in case of a ship being overtaken by another ship, this lantern might not be ready at hand, lighted, but might be kept away in a bucket, or anywhere; and if a man sat down and got the matches and tried to light it, it might be too late. I think that in practice there has been no difficulty in the words of the text, as it is in our amendment, and I do not think any difficulty will be found in the future.

Mr. Goodrich (United States).—Mr. President, I think, so far as we can, that it will be wise to avoid all simply textual alterations. I very heartily agree with the statement made by the Delegate from Germany that these Rules are very familiar and even known by heart to nautical men, and it is very unwise to make any change, especially when we are making a change which is contrary to the general language of the Rules. The suggestion made by the Delegate from Norway, Captain Salvesen, uses the words, "the Rules concerning lights." You are making a tautological statement, that the Rules shall be the Rules. Whereas, if you use the language as presented by the Delegate from Germany, you keep the same method of expressing the idea that is now used all through the Articles.

The word "carried" certainly has a very definite meaning in the Courts when they have been construing these Rules. Nautical men use the word "carrying" in regard to other parts of the equipment of ships than the lights. For instance, they use the word "carrying sails." So the words "carrying lights" have always been understood, certainly in the Courts, to mean to carry the lights as provided by the Rules. If the Delegates will read the Articles they will find the same word in use in many other portions of them. Take Article 3, where it says: "A sea-going steam-ship, when under way, shall carry"—in Article 9, and in various other Articles.

I do not think that in the English language there could be the slightest misconception as to what is meant by the term "carry." When you come to the consideration of Article 11, the Delegate from Norway speaks of the use of the word "show" as having possibly a different meaning from the word "carry," in the Articles already referred to. We can strike out the word "show," if we deem it essential, and use the same term, "carry," if we conclude to fix a permanent light there. If you want to compel a vessel to show a light, as now provided by Article 11, to an overtaking vessel, the word "show" is proper in case it is not a fixed light; but if you conclude to employ a fixed light, then we would change this word "show" in the 11th Article to the word "carry," and the same sense will run through all the Articles that we consider. In other words, the word "carry" applies to a permanent light, and the word "show" to a flash light.

Captain Malmberg (Sweden).—I will only state that in the Swedish translation of this Regulation we use the proper Swedish word for "carry," and in Article 11 we use the proper Swedish term for the word "show," quite in conformity with the English.

Captain Salvesen (Norway).—But if it is decided that this light is to be shown and not to be carried as a fixture, would it be right then to say in Article 2 that it is to be carried?

Mr. Hall (Great Britain).—I wish to heartily indorse what has fallen from the learned Delegates from the United States and the Delegates from Germany as to the great desirability of not altering the text in these Rules when it is not necessary upon a question of principle. As has been pointed out, sailors have learned these Rules by heart. With them it has been, very likely, a question of years to arrive at that result, and when they have once got these Rules in their heads every alteration will bother them. They will not be able to grasp the result of the changes. Therefore I agree as to the desirability of adhering to the words as much as it is possible.

I agree with what has fallen from the Delegate from the United States as to the meaning of the word "carry." We have had no difficulty with this word. On the contrary, the word "carry" was purposely used when these Rules were framed, as being a word which had the signification which it was required to have. For that very reason the distinction which has been pointed out by the learned Delegate from the United States was made. When we come to the Rule dealing with the light that was not to be fixed but merely to be shown, the word "shown" was then used instead of the word "carry."

Now, Mr. President, the real question before the Conference is a mere verbal one and nothing else. We are agreed as to the principle of the suggestion which has been made by the Delegates from Norway and the Delegate from Germany. That being so—all of us being agreed upon the principle that it is desirable that only such lights should be carried as cannot be mistaken—I cannot help thinking that as a choice of the two proposals it would be better to adhere to the one which involves the least alteration in the text as it is at present.

Captain Sampson (United States).—I would like to inquire whether it is necessary to carry out the idea which has been advocated by both of these amendments, to add the words which are given in the latter part of the amendment, "which might be mistaken for such lights." The Rule says in referring to the lights that they are to be carried, and "no others" shall be carried. It seems to me that is quite sufficient; that limits it absolutely. If we introduce these additional words in which it is prohibited to carry other lights which may be mistaken for running lights, it leaves him in doubt,

and who shall decide whether the lights may be mistaken for running lights or not? The Rule now says absolutely, in effect, that no other lights shall be shown except the running lights. The object of the amendment is to prevent other lights which would be misleading from being shown. It seems to me that the Rule is more emphatic now than it would be by having this clause added, and that it will, in addition, lead to doubt as to whether the other lights which might be visible would come under this amendment or not.

Admiral Kaznakoff (Russia).—I beg the pardon of Captain Sampson. I quite agree with the opinion of Captain Mensing as to the meaning of the word "mistaken." I have seen myself, on the way over here, a ship with a white light on the foremast-head, with a green light and two red lights. These red lights were certainly in the deck-house, lighted by electricity with red curtains.

Captain Sampson (United States).—That is contrary to the Rule as it stands now.

Admiral Kaznakoff (Russia).—But it is really impossible for a ship not to have other lights. She cannot help it, and she must always have the white light. But that word "mistaken," I think, shows the captain that the green or the red curtain shall not be used on board the ship. Otherwise you must put in another Article and say: Do not use these green or red curtains.

The President.—The Chair desires to state that Don Manual Aragon, Delegate from Costa Rica, appeared at the Conference this morning, and will take his seat after recess.

The President.—The Secretary informs me that the Delegates may get Protocols up to date by applying at the room as they leave the Conference.

Admiral Kaznakoff (Russia).—Before adjourning let me put a Resolution. We are beginning now on Article 2 to discuss the question of light. That is given over to the work of our Committee, the Committee on Lights. Is it not better to adjourn the sitting of the Conference and postpone the consideration of this subject until we present our Report before the Conference? Because we have many questions that are important. By the end of the week our Report, I think, can be furnished. We must have it printed for every member of the Conference.

The President.—What is the proposition?

Admiral Kaznakoff (Russia).—To adjourn until our Report is printed and laid before the Conference.

Mr. Goodrich (United States).—Mr. President, I hope that motion will not prevail. There are other matters which are not involved in the Report of the Committee on Lights and Signals which can be taken up and disposed of before we receive the Report of the Committees. Manifestly this is one of them which will not be affected by any Report of the Committee one way or the other. We are going to lose a great deal of time if we keep on adjourning for the Reports of Committees. There are a great many things that we can dispose of here. The discussion of this Article, it seems to me, will not be affected by the Report of the Committee, because it does not affect the character of the light.

Mr. Hall (Great Britain).—I think that we might postpone any question which would really be affected by the Report of the Committee on Lights until we have that Report in our hands. But, as the Delegate from the United States has pointed out, there are various questions which we can discuss. For instance, the one under discussion now, and possibly the question as to whether or not candle-power should be adopted as a gauge, and other matters like that. But any of these matters can be postponed at once if any Delegate wishes it or if he thinks there is something in the matters before the Committee which would render it desirable to postpone the discussion. Then we could go on with other matters before us, which will not be affected by the Report of the Committees.

Captain Mensing (Germany).—I think that it will be nearly impossible for the work of the Committees to be carried on if we have to be here at 11 o'clock during the day, having sittings of four or five hours long, and then have sittings of our Committees afterwards. I have had the pleasure of working this thing out, and it has taken me every night until half-past 1 or 2 o'clock. I am very much afraid that the work will accumulate and the Committees will not be able to do it properly. I do not see how it is possible for them to sit, and for the members of the Committees to attend the meetings here of the Conference.

Mr. Goodrich (United States).—There is another fact which the Delegate from Germany has lost sight of, and that is that Wednesday is devoted to Committee work. There will be no sitting of the Conference on Wednesday. I will only state that the gentlemen from the United States have a meeting at half-past 9 o'clock in the morning, and we continue our session until we have to come the meeting of the Conference. We meet again in the evening at 8 o'clock, and continue until a somewhat indefinite hour. I think that we had better keep up the meetings in the Conference according to the rules adopted, four days in the week, under our previous agreement, and let the members work out of hours.

Captain Malmberg (Sweden).—I beg to oppose the motion made by Mr. Goodrich. I do not like to be always overworking. I do not want to work in the morning on the Committee on Signals for an hour or an hour and a half, and then come here and sit until 4 o'clock in the afternoon, and then work for an hour or an hour and a half after the session of the Conference. Let the Committee do the work they have before them and be done with it, and not be going into it morning and night. Let us get through with the Committee work, and then have the session in the proper way.

The President.—The question is upon the motion of the Delegate from Russia, that the Conference adjourn until the Report of the Committee is ready.

Captain Shackford (United States).—I second the motion.

Mr. Goodrich (United States).—When will the Report be ready?

Admiral Kaznakoff (Russia).—I cannot state the day, because it all depends upon how soon it will be printed. The first printing now has only to be given to the Secretary, and the Secretary, I think, can tell us how many days it will take to have the first printing. If you give us a very

few days to finish our Report, it can be finished, and it will all depend upon how many days the printing of it will take.

Mr. Goodrich (United States).—I think we make a mistake if we adjourn this Conference indefinitely. It seems to me that that appeared to be the intention of the Resolution.

Captain Mensing (Germany).—Perhaps it is a mere technical question, which the Delegate from Russia is not aware of, that it is something against the law of procedure here. I would like to propose that we should adjourn until Thursday, and that the Committees should bring in their Reports by that time. It shall not be our fault, so far as I am concerned, if the Report is not here, printed, on Thursday morning.

Admiral Bowden-Smith (Great Britain).—I would ask leave to point out to the President that we are to receive new matter until Wednesday night. Therefore, how can we Report on Thursday morning? I could not draw up my Report and present it to the Conference on Thursday morning if new matter is to come in up to Wednesday night.

The President.—Does the Delegate from Russia accept the amendment of the Delegate from Germany?

Admiral Kaznakoff (Russia).—Yes, Sir; I accept it.

Mr. Hall (Great Britain).—Perhaps it would be better if we should adjourn this discussion until after recess, so that we might have time to consider it. I would propose, with a view to saving time of the Conference, as there is a probability now that when the Conference adjourns it will be for some little time, that a Committee be appointed with regard to the lights to be carried by fishing-vessels. That is, a Committee upon which we might get gentlemen to serve who are thoroughly conversant with the subject, and they will be undoubtedly able to save the time of the Conference to a great extent. This is a matter which is largely within the experience of only a certain number of us; so that I think a Committee appointed might be able to assist us a great deal, especially as we are all of the opinion that it is desirable that we should have a general Rule to regulate fishing-vessels, apart from any local Rules.

Mr. Goodrich (United States).—I think the Delegates from the United States would agree to that proposition very heartily.

Mr. Hall (Great Britain).—We might discuss that also after we come back at 2 o'clock.

The President.—If there be no objection, the Conference will take a recess until a quarter past 2.

The Conference thereupon took a recess until a quarter past 2.

After Recess.

The President.—When the Conference took a recess the question of adjourning in order that the Committees might have an opportunity to complete their work was under discussion, and was postponed until after recess. The Chair is ready to hear suggestions upon the subject.

Admiral Bowden-Smith (Great Britain).—May I say on the part of the Signal Committee that it appears to us that not only is there the question of our own consideration, but the question of printing? Would not the difficulties be better met if we only met in Conference in the afternoon? If the Conference should meet in the morning the Committee would be able to meet in the afternoon, and, if necessary, on Wednesday. That would also give the members of the Conference an opportunity to interchange their views on certain subjects.

Mr. Goodrich (United States).—How would it do to have the Conference meet from 10 to 1 o'clock? That gives us three hours in Conference, and the Committees could meet in the afternoon after 2 o'clock. If that meets the views of the Conference I will make that motion.

Admiral Nares (Great Britain).—I desire to point out that the questions before the Committees are very important ones, more important in the other Committees than in ours, and if you occupy the three most important hours of the day in the Conference in the morning, how long are they expected to go on in the afternoon?

Mr. Goodrich (United States).—I move that hereafter the Conference sit from 10 until 1 o'clock.

Captain Norcross (United States).—I second the motion.

Captain Malmberg (Sweden).—It has once before been decided that the Conference should sit from 11 o'clock until 2. Although it may be very strange that I should be the spokesman in favour of not overworking, for my own part I object to sitting in Conference from 10 o'clock till 1, and then in the afternoon sitting in Committee. I say that from 11 till 1 is a pretty fair day's work to sit in Conference, and then, in the afternoon, to work in the Committee.

Captain Mensing (Germany).—I beg to be corrected if I am mistaken, but I thought a motion was adopted by this Conference that all the Articles under discussion should be printed and distributed so that we should have them twenty-four hours before we came to discuss them. Only this morning these Articles have been handed us, and I think we should have a reasonable time to discuss the Article and amendments in the Delegation. I think we should at least adjourn until Wednesday, because the first amendment has been handed to us before, but the others have not been handed to us until this morning. I would therefore say that we might have this time for discussion in the Delegation. I think that if we were to go on and discuss Article 3, questions would arise which would be very difficult to take up before the Report of the Committee on Lights has been made to the Conference.

Admiral Nares (Great Britain).—I desire to state that so far we have examined the papers on sound-signals, and when the Report comes in it will require careful consideration from all the members. You have referred to us the literature. It is not for us to report to you what our opinions are upon it, but we will report to you thoroughly upon the literature which has been placed before us, and I agree with the Delegate from Germany that it will take forty-eight hours of very serious consideration from each member of the Conference.

The President.—The question before the Conference is the proposition of the Delegate from the United States.

Captain Mensing (Germany).—I think that the Chairman of the Committee on Lights has already proposed to adjourn until Thursday. Perhaps the vote should be taken on that first.

The President.—That was the proposition before recess. The Chair understood that all discussion of the subject was to take place after recess, and that what took place before recess was not to be considered. Will the Delegate from Russia be kind enough to propose his Resolution anew with regard to the adjournment?

Admiral Kaznakoff (Russia).—At first I proposed to adjourn until we finished our work, but now there is a proposition from Admiral Bowden-Smith, and I cannot do better than agree with him, to adjourn every day at 1 o'clock, because I think that we can do our work in the afternoon.

Mr. Goodrich (United States).—In order that the matter may be properly brought before the Conference, I move that hereafter the Conference should sit from 10 to 1 o'clock on every day of the week except Wednesday and Saturday. That will leave Wednesday and Saturday for Committee work, and the afternoons for Committee work.

The President.—The Delegate from the United States proposes to amend by proposing to meet each day at 10 o'clock and sit until 1 o'clock, and adjourn in the afternoon for Committee work.

Mr. Goodrich (United States).—Except Wednesdays and Saturdays.

Mr. Hall (Great Britain).—Perhaps before that motion is put to a vote we might be able to reconcile the suggestions made on both sides. In view of the fact that there is still a good deal to be done in the Committees, we could agree to adjourn until Thursday morning and then continue sitting every day from 10 o'clock until 1 o'clock, leaving the Committees to continue their labours in the afternoon. I think, anxious as I am to get to a speedy determination of our work, that we should not put too much work upon the gentlemen who are serving on the Committees. It appears to be a feeling on the part of these gentlemen that they will require all the time they can have up to Thursday morning in order to endeavour to clear up their work. I think that it will probably meet with the wishes of both sides to adjourn until that time. Then we can sit upon the regular days which we have decided upon from 10 until 1 o'clock, until the Committees have finished their labours. Then we can sit on from 11 until 4.

Mr. Goodrich (United States).—I accept that as an amendment to my motion. I think the Committees should finish their work by Thursday morning.

Rear-Admiral de Spaun (Austria-Hungary).—By the decision of the Conference to-day, we are to accept all propositions coming in until Wednesday evening, so that it will be quite impossible for the Committees to finish their work before Thursday evening.

Captain Shackford (United States).—I would like to ask that in this matter of adjournment each individual member should have a vote.

The President.—I do not think on any question, according to the rule we adopted, that individual members can vote.

Captain Shackford (United States).—I understood that was only in regard to the Rules.

The President.—The Chair understands that it applies to any matter.

The question is now upon the amendment proposed by Mr. Hall as accepted by the Delegate from the United States.

Mr. Goodrich (United States).—That is, to adjourn until Friday morning?

The President.—The Chair understood that it was until Thursday morning. The Chair begs the Conference to consider that the Committees will have to work all day Wednesday in order to get their Reports ready by Thursday. They cannot possibly get them ready by Thursday, as the Delegate from Austria has informed the Conference, because they have to receive matter until Wednesday evening. The Chair desires further to state that the Secretary will require twenty-four hours after the Reports are in in order to have them printed.

Mr. Hall (Great Britain).—Mr. President, so far as I can see, from the difficulty which has been pointed out in regard to the printing, it will be hopeless to attempt to get on with any substantial work before Thursday, if then. But it is desirable for us to make an effort to get on with the work on Friday. I venture to propose that we adjourn until Friday morning. If we find on Friday morning that matters are in such shape that we are unable to proceed, we must adjourn until the following Monday. But let us adjourn until Friday morning in the hope that we may go on with the work, so as not to lose time. I would suggest that, as we will have this time at our disposal, it is desirable that we should occupy it in such a way as will assist the Conference, so that if any member has any Committees to suggest other than that with regard to fishing-vessels which I have proposed, it is desirable that it should be done now.

I move, formally, that when we adjourn, we adjourn until 10 o'clock on Friday morning.

The President.—The question is upon the amendment of the Delegate from Great Britain.

The amendment was put to the Conference, and carried.

The President.—The question now is that offered by the Delegate from Russia as amended.

The question upon the original proposition of the Delegate from Russia, as amended, was put to the Conference, and adopted.

Mr. Hall (Great Britain).—I beg leave to move a Resolution, of which I have already given notice, that a Committee be appointed to deal with the question of lights for fishing-vessels. That would be upon Article 10. I think it very desirable that we should have a Committee to deal with this matter. It is a matter which is within the knowledge of a limited number of the Delegates, and we ought to have the benefit of their assistance when we come to Article 10. Such a Committee would be able to give us its results, so that when we arrive at Article 10, in the due course of business, we should be able to deal with it without loss of time. I beg to move that you nominate a Committee to deal with lights of fishing-vessels.

The President.—Will the Delegate from Great Britain be kind enough to put his motion in writing?

Mr. Goodrich (United States).—Might I venture to suggest to the Delegate from Great Britain that he includes in the work of that Committee that which is cognate with the work already mentioned, namely, Articles 7, 9, and 10; that is, the subject of lights on small vessels? The Committee might facilitate our work on that subject a great deal.

Mr. Hall (Great Britain).—I will willingly accept that proposition. I think it is very desirable that we should have a Committee in regard to this matter. Therefore, I accept the amendment to include Articles 7 and 9. It will be a Committee, therefore, to deal with and consider Articles 7, 9, and 10.

"*Resolved*,—That a Committee be appointed to consider and report on the lights to be carried or shown on small vessels and pilot-vessels and fishing-vessels."

Mr. Hall (Great Britain).—If any one wishes to suggest any amendment we shall be very glad to hear it.

Mr. Goodrich (United States).—As I understand it, that does not include a Report of an Article to be adopted upon that subject. Up to this time we have conferred upon no Committee the power even to consider and report upon the language of an Article. I do not know that that Resolution confers the power to report the Rule or Rules to be adopted. Is that within the province of the Resolution?

Mr. Hall (Great Britain).—I apprehend that it would be within their province to make suggestions to the Conference for Rules for such vessels. Of course, such a Committee as that is a very different Committee from those we have appointed. The Committees we have appointed have been to deal with a mass of literature, and their duty has been to emasculate from that mass of literature such portions of it as seem not to be worthy of the consideration of the Conference at all. Their function and duty has been, I think, to deal entirely with literature. I think it desirable, but I certainly do not wish to press it, that this Committee should make suggestions as to the lights of these small vessels, because I think that a Committee of capable men would be able to assist us in the matter. I do not, for one moment, think that it would be the duty of the Committee to frame a Report which would bind the Conference, or that the Conference would accept such a Report as binding; but I think they might give us the benefit of their suggestions as to what is desirable with regard to this limited class of vessels. I am perfectly willing that the Resolution should be framed as suggested to me, and will make it read as follows:—

"*Resolved*,—That a Committee of seven be appointed to consider and report as to Rules for the lights to be carried or shown on small vessels, and pilot- and fishing-vessels."

I do not see how the Committee will be of any use to us at all, unless they make some suggestions to assist us in our deliberations.

Mr. Goodrich (United States).—That is the very object of my inquiry. I will suggest to the Delegate that he add to his Resolution authority to formulate the necessary Rules for action by the Conference,

Mr. Hall (Great Britain).—I take it that that clearly will come within the words, "consider and report as to lights."

Mr. Goodrich (United States).—They are simply to report as to lights, and not as to the Rules.

Mr. Hall (Great Britain).—They are to "consider and report as to Rules for lights to be carried or shown."

Mr. Goodrich (United States).—Then, if that Committee should report something different from Articles 7, 9, and 10, it would be printed, and the Conference would have the Rules before them for discussion. Mr. President, upon suggestion, I beg to move that the Committee be increased to nine.

Thereupon the Resolution was put by the Chair, and was carried.

The Pesident.—The Chair is now ready to announce Committees. The Secretary will first read the Resolution.

The Secretary read as follows:—

"*Resolved*,—That a Committee of nine be appointed to consider and report as to Rules for the lights to be carried or shown on small vessels, pilot-vessels, and fishing-vessels."

The Chair thereupon appointed the following members a Committee on Lights for Fishing-Vessels, &c.: Belgium, Mr. Verbrugghe; China, Captain Bisbee; Denmark, Mr. Schneider; France, Captain Lanneluc; Germany, Captain Donner; Great Britain, Mr. Gray; Japan, Lieutenant Baba; the Netherlands, Captain Hubert; the United States, Captain Norcross.

Mr. Goodrich (United States).—Mr. President, at the close of the morning's session we were considering the amendment to Article 2. I may say the Delegation of the United States have considered the three propositions—the first by Captain Salvesen, the second by Dr. Sieveking, and the third by the Delegate from the Netherlands—and they are of the opinion that the one proposed by Dr. Sieveking best meets the situation. Therefore, they will cast the vote of the United States in favour of the amendment proposed by Dr. Sieveking.

Admiral Viel (Chile).—Let me call your attention to one question which seems to me to be very important. The side-lights on a ship mean that she is under command. When she is being towed she is not under command. The Rule provides that she must carry these side-lights.

Mr. Hall (Great Britain).—I would point out that the suggestion which the Delegate from Chile is making does not arise on the discussion of the amendment now before the Conference. The discussion now is as to the general rule with regard to lights, and not as to exceptions, which we shall deal with hereafter. We are not now discussing the question of exceptional lights to be carried by

vessels towing. We are merely dealing with the general rule in connection with certain Articles. That is the point under discussion at present. We shall deal with the lights of vessels towing and being towed subsequently, when we come to deal with the exceptions. This is a general rule which we are discussing at present.

The President.—The Chair thinks that this amendment offered by the Delegate from Chile is in the same category as those offered this morning, but not in connection with the subject under discussion. The amendment may be handed to the Secretary. The question would now be upon the amendment proposed by Captain Salvesen. Will the Secretary please read it?

The Secretary read as follows:—

"The Rules concerning lights mentioned in the following Articles, numbered shall be complied with in all weathers from sunset to sunrise, during which time no other lights which may be mistaken for the lights above mentioned are to be exhibited."

Dr. Sieveking (Germany).—Mr. President, I beg your pardon for making this remark, but I think this amendment is substantially the same as that proposed by the German Delegation. I am not quite sure whether I am right; but I think, in order to secure the amendment proposed by the German Delegation, it would be well in all cases like this, where there is only a difference in the wording, that the wording should be considered afterwards by a Special Committee, and that we should vote on the principle only. If we are to vote on the principle only, I think we can vote for this amendment of Captain Salvesen, which is substantially the same as ours.

The President.—Is the Delegate from Germany willing to accept this as a substitute?

Mr. Hall (Great Britain).—I do not understand that that is the proposal of the learned Delegate from Germany. The principle is undoubtedly the same; but, as has been pointed out this morning by several Delegates, notably by the Delegates from the United States, that while they are in principle alike, the one proposal, namely, that of the Delegate from Germany, alters the Rules textually very much less than the one proposed by the Delegate from Norway. We all seem to be of the general opinion that it is desirable to alter the text no more than we can help; and if so, although we would adopt the principle of the amendment of the Delegate from Norway, we should be in favour of adopting the verbiage of the Delegate from Germany. That could be done by one of the amendments being withdrawn.

Captain Salvesen (Norway).—The last speaker having stated that the principle of my amendment is the same as that proposed by the Delegate from Germany, I move to withdraw my amendment, according to what has been said.

The motion was put to the Conference, and carried.

The President.—The next question will be upon the amendment proposed by the Delegate from Germany, the fifth amendment. The Secretary will be kind enough to read it.

The Secretary read as follows:—

"The lights mentioned in the following Articles, numbered , and no others which might be mistaken for such lights, shall be carried in all weather."

The amendment was put to the Conference, and unanimously carried.

The President.—The next amendment is that proposed by the Delegate from the Netherlands, marked No. 39. The Secretary will please read it.

The amendment was read by the Secretary, as follows:—

"The lights mentioned in the following Articles, numbered , and no others which can lead to error, shall be carried in all weathers from sunset to sunrise by ships exceeding 20 tons registered."

Mr. Hall (Great Britain).—I apprehend that after the decision of the Conference on the last two amendments, the only part of this Rule now left for us to discuss is in the words, "by ships exceeding 20 tons registered."

Mr. Goodrich (United States).—It has been suggested that it would be well to postpone the discussion of this subject until we get the Report of the last Committee on Lights.

Mr. Hall (Great Britain).—I quite agree that it would really be a waste of time to consider the last part of this amendment until we have the Report of the Committee on Lights for Small Vessels.

The President.—Does the Chair understand that the amendment is postponed for the present?

Mr. Hall (Great Britain).—I venture to suggest that the amendment may be deemed negative except as to the words, "by ships exceeding 20 tons registered," which are to be postponed for further consideration.

The President.—If there be no objection, that will be done.

Mr. Goodrich (United States).—They are postponed until the coming in of the Report of the Committee on Lights of Small Vessels.

The President.—The third amendment to Article 3 will be next in order. The Secretary will will please read it.

Mr. Goodrich (United States).—Is not that in the same category as this one?

Mr. Hall (Great Britain).—Of course I will postpone it if any member of the Conference thinks it desirable; but this is not a matter on which I think any Committee will be likely to be appointed in order to deal with it. I gave the reasons for it when I gave the notice of the motion. The present vessels, especially men-of-war, iron-clads, are frequently 60 or 70, and, I am informed, sometimes nerrly 80, feet in beam; and it would clearly be unnecessary to make them, in many cases where they do not have a mast, erect a signal-post 70 or 80 feet high to carry the masthead-light. This is simply to meet that difficulty. I only want to clear the way of matter which it is not desirable to debate. If any member of the Conference thinks it is at all desirable to postpone this until the Report of the

Committee on Lights, I of course shall bow to such an expression of opinion. I apprehend, however, that it is not a matter with which any Committee is likely to deal. It might almost be considered as a self-evident matter, and I beg to submit it for the favourable consideration of the Conference.

Mr. Goodrich (United States).—There is a reason why, perhaps, it would be well to postpone the consideration of that subject. When Congress adopted the Rules of 1885 it excepted from the operation of the Act vessels navigating the internal waters of the United States. It left in operation the Rules which had been promulgated by the Inspector-General of Steam-boats, which provided for the carrying of lights by tug-boats. This Rule is a very serious alteration of that.

Mr. Hall (Great Britain).—I will point out that this only applies to vessels of a breadth of over 40 feet, and would only operate on very large vessels. It could not operate upon any vessel which would be affected by the local Rules in the inland waters. It is merely to meet the case of these vessels and large iron-clads, men-of-war, which are built of such an enormous beam and do not carry a mast, to prevent the necessity of their erecting a signal-post of such an enormous height. It is only for men-of-war and big vessels which are over 40 feet in breadth.

Mr. Goodrich (United States).—I am afraid I cannot quite agree with the learned Delegate, although I generally accept his opinion as to his own Rule with quick confidence. Let me state the situation. Under our internal Rules a tug-boat, or a small steam-boat, carries a light on the stem, not on its flag-staff, and she carries the after-light on the after flag-staff, 15 feet higher than the bow-light. Now, this Rule does not say that every vessel 40 feet or more in width shall do so and so; but it says:—

"A ship without a foremast shall carry this light in the forepart of the ship at a height above the hull not less than the breadth of the ship, except in the ship the breadth of which exceeds 40 feet, in which case the light need not be carried at a greater height above the hull than 40 feet."

In other words, every vessel must carry that fore-light at a height above the hull equal to the width of the vessel. A tug-boat has a width, we will suppose, of 20 feet. Therefore she must have a flag-staff light 20 feet in height above the hull. But they are required, in carrying out our system, to have an after-light 15 feet higher than the bow-light, and they have to get a flag-staff 35 feet in height. Of course, I am assuming that these Rules are going to be adopted for all navigable waters. That is the system upon which I think the Conference expressed a pretty general sentiment as a basis upon which the Rules should be formulated. They may be changed by exceptions by the Governments severally adopting them; but these Rules would compel a tug-boat going to sea or navigating in waters which are brought within the operation of the Rules to carry another system of lights from that which they now carry.

I think my friend misapprehends my position a little, and I think this confusion, as Captain Sampson suggests to me, arises from the fact that the English Delegates, perhaps, do not clearly understand our position in the United States as to these exceptions. Let me state it again, because we would like your assistance in elucidating the problem. The United States adopted the Rules of 1863 in the year 1864. Our Law remained in that condition until 1885, when Congress adopted the English Rules of 1879. In the Act adopting the Rules of 1879, Congress excepted from the operation of the Regulations of 1879 the harbours, lakes, and inland waters of the United States. Therefore, the Rules of 1863 prevail on the inland waters, harbours, and lakes of the United States. These Regulations provided for the lights which tugs now carry, and which were changed by the Regulations of 1879, and adopted by our country in 1885.

So that we are now working under three sets of Rules: under these two sets of Rules, and under the third set of Rules, which are formulated by the steam-boat inspectors for the government of inland waters, that being done under authority of another Act of Congress. Now, we want to strike all these Regulations out, so far as our Code is concerned, and to provide a uniform system of lights, which shall prevail the world over, and of course in our own waters, unless Congress sees fit to take a different course. I can see very easily the confusion which arises amongst the Delegates from their thinking that we are acting in our waters under the Rules of 1879. We are not. We are acting under the Rules of 1863. If you attempt to adopt this Rule you will compel the steam-boats which ply in the harbours of New York and on the outside in search of their business to change their lights altogether. I think it is perfectly proper to make one system of Rules which shall govern all vessels. I would carry for steam-ships the masthead-light and two side-lights; but the adoption of this proposition will entirely change the system which we have in the harbour and waters of New York.

This amendment changes that system altogether, unless the Delegate from Great Britain will so change his amendment as to limit it to vessels which do exceed 40 feet in beam.

Mr. Hall (Great Britain).—I want to point out that this proposal has no reference whatever to inland waters. This is a proposal with regard to the Rules for Preventing Collisions at Sea. I understand that the suggestion made was that we should frame Rules which would regulate all vessels at sea, and to regulate vessels in inland waters except where a different local Rule was prescribed. That is a proposition which fell from the Delegate from the United States at our last meeting, I think. We have made no reference whatever in this Rule to the inland waters. We have not the slightest idea that it is to apply to the inland waters, except in cases where the Rules are to apply and where there are no local Rules. By the present United States' Regulations the wording is exactly the same with regard to vessels at sea as it is in the exception which we propose. I do not look at the inland waters Regulations for the purpose of this amendment.

If the learned Delegate from the United States will look to the Rules of the United States for vessels at sea, he will see that the words are exactly the same as they are in the Rules which we have. Your present law in the United States is that sea-going steam-ships "when under way shall carry on or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light so constructed as to show an uniform and unbroken light over an arc of the horizon of twenty points

of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam," &c. That is the law with regard to vessels in the United States. We do not propose to alter that one jot, but we say that in cases where the breadth is over 40 feet that they need not put the light any higher than that.

Captain Sampson (United States).—Mr. President, I think that my colleague has lost sight of his guiding star in this matter, and that to reconcile the conflict which exists in some places between the International Rules and the Rules for inland waters in the United States, he has forgotten that his original desire was to make the International Rules prevail, except in cases where Congress provided for the local Rules. The suggestion made by the English Delegate, as I understand it, does not in the slightest degree conflict with the present Rule of the Road. If the local Rules which have been established for our inland waters are not in conformity with them it is not necessary now to change them. If we adopt the suggestion of the British Delegate, the exception can still remain.

The President.—Is the Conference ready for the question on this amendment?

The amendment was submitted to the Conference, and was adopted.

Mr. Goodrich (United States).—Is not this amendment the same as the third?

Mr. Hall (Great Britain).—This amendment has been printed by mistake, and it is the same as amendment No. 3.

The President.—Then the Delegates had better erase this from their copies. The next order of business before the Conference is Article 3, the amendment offered by the Delegate from Germany:—

"*Lights for Steamers.*"

The Secretary will please read the amendment.

The Secretary read as follows:—

"Article 3. A sea-going steam-ship, when under way, shall carry——"

Mr. Goodrich (United States).—Mr. President, I suggest that in the discussion of this Rule we stop at this first line that we may raise the point in regard to this proposition. I move that the first line of this amendment be divided from the rest of the Article and be discussed by itself.

The motion was submitted to the Conference, and carried.

The President.—The subject for discussion now is Article 3, the first line.

Mr. Goodrich (United States).—Mr. President, I move that the first line be amended to read as follows:—

"Every steam-vessel when under way shall carry."

The word "every" is used, and while it is not a very important amendment, yet, as we are passing over this Rule, I suggest that it had better be made. But, after all, the proposition involved in this amendment is one which will doubtless be considerably discussed in the Conference. My brother on my right suggested a moment ago that I had lost the guiding star of my belief; but I have not done so. The discussion which we had a moment ago brought out some facts which it is desirable to bring before the Conference.

I think that this is one of the important questions to come before the Conference. I may say that the question of what constitutes navigable waters has, in a certain sense, been the subject of construction by our Courts, and without going very deeply into the discussions upon that subject, I may say that in 1851, in the case of the "Genesee Chief," a very famous case, the Supreme Court of the United States extended Admiralty jurisdiction to all navigable waters. The Conference will understand that Admiralty jurisdiction is confined to the Federal Courts, and therefore the question of what waters are subject to Admiralty jurisdiction is a matter which very early in the history of our law was the subject of a very wide discussion. But in 1851, in the case to which I refer, the Admiralty jurisdiction was held to extend to all navigable waters. Again, in 1866, the Court, in the case of Hine, held that Admiralty jurisdiction was not confined to tide-waters, but extended to wherever ships float and navigation successfully aids commerce, whether external or internal. Going still further, in a later case the Courts extended the Admiralty jurisdiction to artificial waters, like canals, within State limits.

In other words, the theory of the Supreme Court in regard to Admiralty jurisdiction extends to every navigable water. That, it seems to me, is the theory upon which these Rules should be framed, namely, that we should make a Code which is applicable to vessels in all waters and in all lands, providing that the nations adopting them may make such exceptions for their internal waters as such nation may see fit. Therefore, at the opening of the discussion upon this Article, if there is to be any, the question presents itself to our minds whether the word "sea-going" shall be stricken out of the Rule, and the Rule made general. In other words, whether this Code is to apply to all the waters of the world, or only to the high seas. My own impression is very strong that we had better make it applicable to all waters, and then the nations can except from its operation their own particular territory.

Captain Malmberg (Sweden).—As I moved this question about the word "sea-going," and proposed that it be taken out of the first line of this Article, I desire to state my reason. The reason is that with us all small steamers are obliged to carry these lights, and, therefore, we think the Rules should read, every steam-vessel or "a steam-vessel," as in the present Article.

Mr. Hall (Great Britain).—The use of the word "sea-going" in this Article, so far as I am aware, has no reference whatever to jurisdiction. The object of the word "sea-going" was to classify vessels in a general way, if it could be so done. It was not to limit the jurisdiction. Vessels which went out to sea were presumably large enough to carry the lights provided for vessels which navigated the sea, and it was for this purpose that these words were inserted. I do not see that the words "sea-going" were intended for any other purpose whatever. So far as we are concerned, we see no objection to striking out "sea-going," so long as qualifications are introduced which will render the words unnecessary.

If the words "sea-going" are stricken out we should then require to have a clause which will exclude from the operation of this particular Rule all vessels too small to carry lights of the range and size provided for by this Article. Sea-going vessels were, presumably, vessels which were large enough to carry the lights of the stated size and range, and therefore the Article only affected vessels of that sort and class. So far as I can see, that was the only intention in using the words "sea-going," and those words have already been acted upon, and no fault has been found with them. So far as we are concerned, however, we are perfectly willing to strike the word out, if there be qualifications inserted excepting vessels which are not big enough to carry the lights required by this Rule.

Mr. Goodrich (United States).—Referring to the Report of Dr. Sieveking's Committee, which has been very elaborately prepared, and for which I think this Conference is under great obligations to the gentlemen composing that Committee, I find that Austria omits the words "sea-going." Denmark omits them. Germany omits them. Italy omits them. Mexico omits them. Norways omits them. Sweden omits them. I should be very heartily in favour of the suggestion of the Delegate from Great Britain, that in the subsequent part of this Act small vessels should be excepted. That ought to be done on the coming in of the Report of the Committee on Articles 7, 9, and 10.

Captain Sampson (United States).—I do not understand the Delegate from Great Britain to suggest that small boats shall be excepted in this Rule, but under their proper Rule.

Rear-Admiral de Spaun (Austria-Hungary).—I should like to say that in the Austrian Rules the words "sea-going" were omitted because the Rules for inland waters is the same as for sea-going ships. That is the reason that the words "sea-going" were omitted in the Austrian Rules.

Dr. Sieveking (Germany).—It is quite clear that if we keep the words "sea-going," there is no Rule at all for other steam-ships but sea-going steam-ships. If we take the meaning of the words "sea-going" to be this, that it designates or indicates the steam-ship whose regular business it is to go to sea, then there is a proviso made only for such vessels, and not for other vessels plying navigable waters connected with the sea, whose regular business it might not be to navigate on the high sea, but which do ply the waters connected with the high sea. We have thought that it would be better to state the Rule in such a way that it would cover the whole territory, as it were, in which sea-going vessels may meet, subject always to the right of the Governments to make Rules for territorial waters, which supersede these general Rules. But there are many territorial waters where there are no local Rules, because it is thought that the general Rules are sufficient, as is shown in this Article under discussion.

In regard to the different countries where the words "sea-going" are omitted, there are no local Rules on the German rivers and upon other rivers in other States. All vessels plying upon these rivers are included in the general Rule. There would be no Rule for them if we had only a Rule for "sea-going vessels;" so that we thought it better to have the general Rule laid down as a principle, and then leave it to the Governments to separate and modify them by giving local Rules if they saw fit; but if they did not see fit, then let the general Rules apply. It has been mentioned by the Delegate from Great Britain that the words "sea-going" were intended to give a certain limit to the size of vessels. That, of course, would have to be thought of; but I think we could leave it entirely to the Report of the Committee on Lights for Small Vessels.

Mr. Goodrich (United States).—If you are ready for the question I will make this motion: To make the first line of Article 3 read as follows: "Every steam-vessel when under way shall carry."

The President.—Any amendment which is proposed to the present Rules lies over for further consideration.

Mr. Goodrich (United States).—My motion really related to simplifying matters. It would be necessary to make a number of motions to change the word "a" to "every." It is a mere clerical change. Otherwise the Rule is as it is in Dr. Sieveking's amendment.

The President.—Is it the desire of the Conference that that should be done?

Dr. Sieveking (Germany).—Is there any difference between "a" and "every"?

Mr. Goodrich (United States).—One of our Delegates has suggested that the word "every" was used in one of the previous Articles, and that it would be well to keep the same language.

Dr. Sieveking (Germany).—I thought that "a" might be shorter.

The President.—The Conference is ready for the change. The question will now be put.

Mr. Goodrich (United States).—The gentleman who suggested that change is not here now. I do not think any of us are very strenuous about it.

Mr. Hall (Great Britain).—I think the word "every" is used in the first Article, because there the intention is to point out that every steamer under particular circumstances shall be considered so and so. I think possibly there is a reason for using the word "every" there, because it is dealing with steamers under certain exceptional circumstances, and where they are under these circumstances, then "every" ship shall do so and so. I think that probably that was the reason why the word "every" was used there.

Mr. Goodrich (United States).—It is a matter of very little importance, and we are not very strenuous upon it at this end of the table.

The President.—Does the gentleman desire to make the motion?

Mr. Goodrich (United States).—I will make no motion for the change of "a" to "every." I will move to substitute the word "vessel" for the the word "ship." It will read then: "A steam-vessel when under way shall carry."

The motion was submitted to the Conference, and carried.

The President.—The Secretary will now read Article 3.

The Secretary read as follows:—

"Article 3. (*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less less than such

breadth, a bright white light, so constructed as to throw a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side, at a place not less than 20 feet abaft the masthead-light, a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*c.*) On the port side, at a distance not less than 20 feet abaft the masthead-light, right under the light mentioned under (*b*), a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) The said green and red side-lights shall be fitted with inboard screens, projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow."

The President.—The Secretary will please read the Resolution submitted by the Delegate from Belgium and the Delegate from Mexico.

The Secretary read as follows :—

"*Resolved*,—That the International Marine Conference at Washington declare that it recommends to mariners the use of the Diagram and Rules of Captain Wharton, Royal Navy, it being the desire of this body that it be adopted for use in all navies; and in view of the incontestable value of his work, that this Conference tender him its thanks."

Commodore Monasterio (Mexico).—Mr. President, I do not propose to ask of the Conference the immediate adoption of a Resolution on the proposition which has been read by the Secretary. I think that it would be better to wait until the members have learned the value of the work, and I have therefore only caused this proposition to be read in order to recommend to the members the studying of these diagrams.

After having acquainted themselves therewith they will appreciate the value of that work, and it will be more proper to wait until then in order to formulate an expression concerning my proposition, which I have made concurrently with the honourable Delegate from Belgium.

The Conference thereupon adjourned until Friday, 1st November, 1889, at 10 o'clock A.M.

Washington, D. C., Friday, 1st November, 1889.

THE Conference was called to order at 10 o'clock A.M., with Rear-Admiral Franklin in the Chair.

The President.—The Chair desires to state that, if there are changes to be made in the Protocol, the Secretary will be very glad to have them to-day, so that the corrected Protocol can be ready to-morrow. The Delegates will please make the corrections and hand them in.

When the Conference adjourned on Monday to meet this morning it was the expectation that the Committees would be ready to make their Reports. If they are ready, the Reports are now in order.

Admiral Nares (Great Britain).—Mr. President, on behalf of the Committee on Fog-Signals, I desire to state that our Report is now being printed, but it is not actually signed. Immediately after we receive it from the printer's hands and read it over again we will be prepared to hand it to the Conference. We expect the Report to be in this morning.

Admiral Bowden-Smith (Great Britain).—Mr. President, the Report of the Committee on Systems and Devices, which I represent, is in the hands of the printer, and we have not yet received it.

Captain Malmberg (Sweden).—Mr. President, as the Chairman of the Committee on Lights is not here, I beg to state that the Report of the Committee on Lights is in the hands of the printer, so that it will take some days before we will be able to hand it in to the Conference.

The President.—The Chair desires to know the wishes of the Conference in the absence of the Reports, and is ready for any suggestions which the Delegates may make.

Mr. Goodrich (United States).—Mr. President, if you will allow us a moment, I think we can perhaps economize time.

Capain Malmberg (Sweden).—Mr. President, at the meeting of the Conference on the 18th October I moved two amendments, Nos. 11 and 17. I have, on a reconsideration of these amendments, thought it better to withdraw them as submitted at that time. I therefore take the liberty of moving that I may withdraw my amendments Nos. 11 and 17.

The President.—The Delegate from Sweden moves to withdraw his amendments Nos. 11 and 17 to Articles 5 and 6.

The motion was put by the Chair, and unanimously carried.

The President.—The Delegate from Sweden now desires to propose the following extra amendment, which will be read by the Secretary.

The Secretary then read the amendment as follows:—

"A sailing-vessel towing another vessel at sea shall carry the same kind of lights as prescribed in Article 5, subdivision (*a*), to these Regulations."

The President.—The amendment will be printed.

Mr. Goodrich (United States).—Not on behalf of the Delegation of the United States, and not at present expressing my own views on the subject, I beg to present here an amendment to Article 3, which will be printed in due season.

The President.—Will you be kind enough to read the amendment?

Mr. Goodrich (United States).—It will hardly be intelligible. Perhaps I had better explain it. Before it is read I may say to the Conference that this is an amendment which proposes auxiliary coloured side-lights.

The Secretary then read the amendment as follows:—

"*Rules concerning Lights.*

"Article 3. A steam-ship, when under way, shall carry—

"(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side, on a line with the front of the foremast, a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*c.*) On the port side, on a line with the front of the foremast, a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) On the starboard and port quarters, on the same level with the forward green and red lights, an additional or auxiliary light, so constructed, fixed, and screened, that said additional light on the starboard quarter shall show a green light from two points from right ahead to two points abaft the beam, and also show a white light from right astern to five points on the starboard quarter, and that said additional auxiliary light on the port quarter shall show a red light from two points from right ahead to two points abaft the beam, and also show a white light from right astern to five points on the port quarter.

"(*e.*) The said red and green forward side-lights, as well as the said red and green auxiliary or after-lights, shall be fitted with inboard screens projecting at least 3 feet forward from the lights, so as to prevent these lights from being seen across the bow.

"(*f.*) The said white or quarter-lights shall also be fitted with inboard screens projecting at least 2 feet abaft these lights, so as to prevent these lights from being seen across the stern."

The President.—The amendment will be printed.

Mr. Goodrich (United States).—Mr. President, in connection with that amendment I am requested to say that there has been laid on the table of the members this morning a Memorial which relates to these auxiliary side-lights. The gentlemen will find it in the granite-coloured document.

Mr. President, the American Delegation presents the following amendment to Article 5.

The President.—The amendment to Article 5, proposed by the Delegates of the United States, will be read by the Secretary.

The Secretary read the amendment, as follows:—

"Article 5 (*a.*) A vessel, whether a steam-vessel or sailing-vessel, which from any accident is not under command, shall at night carry in the same position as the white light which steam-vessels are required to carry, and, if a steam-vessel, in place of that light, three white lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least 2 miles, and shall by day carry, in a vertical line, one over the other, not less than 3 feet apart, in front of but not lower than the foremast-head, three black balls or shapes, each 2 feet in diameter."

The President.—Captain Bisbee, Delegate from China, desires to offer an amendment.

The Secretary read the amendment, as follows:—

"Small handy vessels when in narrow waters, where there is sufficient room for large vessels to manœuvre with freedom, shall not attempt to cross the bows of such large vessels so as to involve risk of collision; but nothing in this Rule shall exonerate a large vessel from doing everything that is practicable to avoid collision."

The President.—Commander Chen, Delegate from China, desires to offer an amendment.

The Secretary read the amendment, as follows:—

"Article 14 (*c*.) In a fog a drift-net vessel, when trawling, dredging, or fishing with any kind of a drag-net, and a vessel employed in line-fishing with her lines out, shall at intervals of not more than two minutes make a blast with her fog-horn, or ring her bell, or beat her gong."

Mr. Goodrich (United States).—Mr. President, it is suggested by the various Delegates that we shall accomplish nothing by having a session of the Conference this morning, because the Committees on Fog-Signals and Lights have not yet presented their Reports. It seems to me very unfortunate that we should have made the engagement with the Conference this morning and so destroyed the comfort and happiness of some of the Delegates, but yet, if that is the general sense of the Conference, I shall make a motion to adjourn until Monday morning, because I think, no doubt, the Committees can find plenty to do in arranging other matters. If that is the sense of the Conference, I will make the formal motion, unless some gentleman objects to it and wants to discuss any subject, in which case I will withhold my motion for an adjournment.

I move that the Conference do now adjourn until Monday morning at 10 o'clock.

I would like to ask the Secretary whether the Resolution which was discussed on Monday last, I think, providing for sessions of the Conference from 10 to 1 o'clock, was passed by the Conference.

The Secretary.—Yes, Sir.

Mr. Goodrich (United States).—Then I move that the Conference do now adjourn until 10 o'clock on Monday morning.

The motion was put by the Chair, and carried.

The Conference then adjourned until Monday morning, November 4, 1889, at 10 o'clock A.M.

Washington, D. C., Monday, November 4, 1889, 10 *o'clock* A.M.

THE Conference was called to order at 10 o'clock A.M., Rear-Admiral Franklin in the Chair.

Captain Richard (France).—Now that the Committees have finished the duty which was intrusted to them, and before taking up the examination of the Rules of the Road and continuing the discussion of the very numerous amendments to which they have given rise, my colleagues of the French Delegation and myself have thought that it might perhaps be desirable to suggest that this important subject is but the first of the thirteen Divisions contained in the Programme which has been laid out for the discussion of the Conference. This Programme, if it must be taken up in its entirety, contains a great number of questions which it is impossible to treat lightly and hurriedly.

Would it be an exaggeration to suppose that if they came up successively for discussion they could keep the members of the Conference here for a very long period, perhaps even beyond the widest expectations of the Governments which have accredited us? Some of these Governments have sent quite numerous Delegations, consisting of men of various ranges of experience who can work, and who could from the outset have worked, separately in studying up the questions special to their sphere, and have greatly facilitated the work of the Conference, but who could not be kept here indefinitely, without any useful purpose, far away from their countries and the positions which they occupy, in order to discuss matters which do not come within their range of study.

At the beginning of the Conference the honourable Delegates of Great Britain, expressing themselves through our eminent colleague Mr. Hall, stated that their instructions were limited to only a portion of the Programme, the whole of which seemed to their Government too extensive for it to be possible to arrive at positive and well-based conclusions within a reasonable time and after sufficient discussion.

Perhaps this opinion is shared by some of the Delegates; perhaps by all. Possibly the majority of the Delegations consider that all the questions appearing in the Programme merit discussion, even though no precise and definite conclusion would sanction their discussion.

About twenty days ago the Conference commenced its work. During that time the Delegates have probably had time to exchange their views, and now that it has become possible to foresee the time which will be required to examine the 1st Division, it seems that there may be ground to believe that the Delegates have formed an opinion in regard to discussion of the whole.

If, conjointly with the Delegates of Great Britain, the majority of the Conference estimate that it is proper to limit the field of discussion to a portion of the Programme, the questions to be inserted in the order of business could be determined in an exact and conclusive manner. Our entire attention could then be concentrated upon those points alone without considering any other. Our respective Governments could then judge whether it would not be proper to relieve from duty those Delegates whose presence here, being based solely upon their special capacity, would be of no further use.

If, on the other hand, the Conference consider that it may, and that it should, proceed with the examination of all or some of the questions contained in the Programme—and here let me say that, according to the instructions of our Government, we are ready to participate in any careful discussion of all the portions of the Programme—and if all or some of the questions must be considered in common, we think that it is proper at once to take all necessary measures to accelerate and facilitate the labours which, in the absence of special preparation, threaten to be very lengthy and difficult.

I think that I should specially call the attention of the Conference to this point, that, although for the examination of the questions contained in Division I, we have as our starting point and guide a series of opinions which have long been studied and carried into effect, and which have long been the subject of the meditations of competent men, the same cannot be said generally of the other Divisions, for which no universally accepted opinions exist that can be used as a basis for our labours.

Under these circumstances, and with the hope of facilitating and accelerating our task, we have thought that it would be proper to propose for the consideration of the Conference the question as to whether Committees should not be appointed to consider the points to be discussed which require technical or legal knowledge; which Committees, after having examined all special papers addressed to the Conference, and having heard the Delegates and other persons who can throw light upon the subject, would set forth in their Reports the proposition to be submitted to the consideration of the Conference.

We therefore think that it would be proper to submit to the Conference the following motion :—

"That the Conference, after due consideration, pursuant to the Divisions of the Programme, hereby determine upon the list of questions which they propose to consider, and that according to the number, the nature, and the importance of the questions finally decided to be retained, special Committees shall be appointed, in order that each of them may, after due consideration and examination, prepare a Report to be submitted to the action of the Conference."

Mr. Kimball (United States).—Mr. President, I would ask to have that Resolution read again.

The Secretary read the Resolution, as follows :—

"*Resolved*,—That the Conference, after due consideration, pursuant to the Divisions of the Programme, hereby determine upon the list of questions they propose to consider, and that according to the number, the nature, and the importance of the questions finally decided to be retained, Special Committees shall be appointed, in order that each of them may, after due consideration and examination, prepare a Report to be submitted to the action of the Conference."

Mr. Goodrich (United States).—Mr. President, at the request of the Delegates from the United States, I have myself prepared a Resolution somewhat akin to the one which has been submitted by the Delegate from France. Our object in offering such a Resolution was that the members of the Conference might at as early a period as possible determine upon the length of their stay in this country. I have also a Resolution to propose that after we shall have finished the discussion of General Division No. I of the Programme we shall then proceed with the discussion of No. III, out of courtesy to our friends the Delegates from Great Britain, and in order that they may be relieved from further duty in this country if they desire to adhere to the instructions which at the commencement of the Conference they told us they were working under.

It is very important, in my judgment, that we should have the benefit of the information and learning of the Delegates from Great Britain on all the topics of this Programme, and I am sure that we shall all feel a deep regret if, under their instructions, they are compelled to withdraw from the further discussions of the Conference. If I thought we could postpone their departure until some later time than the time when we shall have finished the discussion of Division No. 1, I am not certain that I should propose the Resolution which I am now about to offer. There are very important subjects contained in this Programme, and I desire to argue strongly in favour of the proposition of the Delegate from France.

The Conference will remember that in April, under the instructions of our State Department, a Programme was forwarded to the Powers; and the Delegates from the United States are heartily in favour of discussing every proposition contained in the Programme, and also to have Committees in advance discussing and preparing a Report upon which the Conference can act under some carefully collated order of business. The entire Delegation from the United States will vote "Aye" on the proposition of the Delegate from France.

The President.—As it is a matter of some importance, perhaps the Conference desires that it be printed, or laid over for forty-eight hours.

Mr. Goodrich (United States).—I desire to move the following Resolution :—

"*Resolved*,—That the Conference shall proceed to discuss General Division No. III of the Programme next after the consideration of General Division I shall have been completed."

Mr. Goodrich (United States).—That is out of courtesy to our esteemed colleagues from Great Britain.

Mr. Hall (Great Britain).—Mr. President, I was not aware that this Resolution was going to be proposed until a very few moments ago. I wish at the outset, on behalf of my colleagues and myself, to thank the Delegates from the United States for their courtesy and consideration in making this proposal. I need scarcely to say that it will be a great accommodation and assistance to us if this proposition should be adopted by the Delegates to the Conference. It will enable us to go on with our labours, to be able to foresee an approximate end to these labours; and we should be glad, after we have finished the consideration of Division No. I, to proceed with the consideration of Division No. III. Our proposals will be found in a somewhat voluminous Report, which deals with the whole matter of a uniform load-line—the question as to the extent to which vessels shall be loaded. That Report is printed with Appendices, and will be placed at the disposal of the Conference. I would state that the Conference shall be furnished with all the copies of that Report we have in our possession, so that they may be able to consider it very carefully before Division No. III is reached.

It may be thought desirable at another stage of the proceedings, when we come to see that we are nearly at the end of Division No. I, to appoint a Committee to deal with Division No. III, because it is a matter essentially to be dealt with, I apprehend, by a Committee composed of experts who understand such technical matters. They are matters more within the province and experience of sailors than of any other class of men. A Committee to deal with that subject, I think, would save the time of the Conference.

I wish again to thank the Delegates from the United States for their consideration in making this proposition.

The President.—Is the Conference ready to vote upon the Resolution of the Delegate of the United States?

The Resolution was put by the Chair, and unanimously carried.

Mr. Goodrich (United States).—I have a Resolution to offer upon the subject of a Committee of seven to be appointed, and I think the power had better be lodged in the President to make the appointment. I will therefore move that a Committee of seven be appointed by the Chair on the subject of a uniform load-line, General Division III of the Programme.

The President.—Is the Conference ready for the question, or shall it lie over?

Mr. Goodrich (United States).—I think it had better be passed.

Mr. Hall (Great Britain).—I think that there can be no objection whatever to a Committee being appointed at as early a day as possible. Of course, the Committee will be able to fix its own time for holding sessions, and it will choose such time as will not deprive us of the services of the gentlemen on that Committee during the sessions of the Conference, as they will be wanted to assist us in our deliberations on General Division No. I.

The President.—The Secretary will please read the Resolution.

The Secretary read as follows:—

"*Resolved*,—That a Committee of seven upon the subject of a uniform load-mark, General Division No. III of the Programme, be appointed by the Chair."

The Resolution was put and carried.

The President.—The Reports from Committees will now be in order. The Chair desires to state that the Reports of the Committee on Lights, the Committee on Sound-Signals, and the Committee on Systems and Devices have all been handed in, and have been placed upon the table for the Delegates. They are somewhat voluminous in character, and the Chair desires to know whether it is the wish of the Conference that they should be read or whether it would be sufficient for the Delegates to have them for reference.

Mr. Hall (Great Britain).—Mr. President, I do not know whether it will be thought necessary to have these Reports read. I think that the salient points dealt with in the Reports can be brought to the attention of the Conference when we are discussing any question or amendment, the principle of which is referred to in these Reports. I cannot help thinking that perhaps it would be wasting the time of the Conference to have them read at length, as they can be read by each of us very much quicker than they can be read aloud to the Conference. The eminent gentlemen who have served on these Committees will be able to tell us whether there is any proposition or recommendation bearing upon any particular question which we may be discussing. Therefore, I suggest that it would be better to proceed with the amendments in their order and have our attention drawn to the Reports whenever it is necessary.

The President.—The Chair desires to know whether the Conference wishes to continue with the discussion of the amendments as they are presented in the list of amendments, and have them collated afterwards and placed in their proper position.

Mr. Hall (Great Britain).—I think that would certainly be the better course to pursue. I see that the Secretaries, who assist us so much, have collated the amendments that were delivered up to within a certain date, practically in the order in which they are to come on for discussion. I would only venture to suggest that the additional amendments which have been handed in since that day should be taken also in the order of the Rules with the bound-up amendments, so that in this way we will be able to discuss the entire Article before we pass to the next. I think it will be a pity if we go through with the bound book and then have to hark back to consider the amendments which have been handed in since the book was bound up. I have taken the trouble to place these additional amendments, as they are called in the print, in the order in which they should come with the regular printed amendments in the book, a thing that can be done in two minutes by any clerk. If we then take the regular amendments with the extra amendments we shall not commence a fresh Article until we have entirely disposed of the amendments relating to the preceding one. I think that will be the best way, as we shall then be able to say that we have finished one Article. I cannot conceive it possible that any one will now hand in fresh amendments to these Articles, as all of the Delegations have had plenty of time to consider their plans, and we certainly have got enough to deal with as it is.

The President.—Then I understand that the Delegate from Great Britain desires to go back to Article 1, to the consideration of extra amendment No. 17?

Mr. Hall (Great Britain).—I do not propose that for this reason, that we will deal with that amendment when we come to one of the other Rules. I am so anxious not to hark back, if I may so call it, that what I propose is that we shall now go on with Article 3 at the place where we were when we suspended the discussion at the last session. We had then dealt with the first line of Article 3, and were just about to consider this eighth amendment to subsection (*c*), Article 3.

Mr. Goodrich (United States).—Mr. President, before we resume that order of business I want to offer an amendment which will hardly come within the category spoken of by the Delegate from Great Britain as a fresh amendment. It is merely an amendment to the amendment which I offered on Friday in regard to the auxiliary side-lights. It is simply to make it a little more detailed and specific. It is practically the same as the other amendment, and I do not think it necessary to read it.

The President.—As it is practically the same amendment as that which is offered it will be laid on the table.

Mr. Goodrich (United States).—Have it printed and laid on the table.

Mr. Hall (Great Britain).—I do not think it is necessary to have it read. I perhaps might ask when we can have the amendments in print which were given in on Friday, and whether they are ready to be handed to the members of the Conference. If we had them before us now we could take them in their order, and we would then be able to deal with the amendment which has been referred to by the learned Delegate from the United States at the conclusion of our deliberations on Article 3. I do not suppose that we shall get to that before the afternoon, and then, if we had this, we could deal with it. I think that most of the Delegates are prepared to express an opinion on it.

Mr. Kimball (United States).—Mr. President, before the discussion of the Articles is resumed, I wish to offer a Resolution which is suggested by a proposition contained in the Report of the Committee on Systems and Devices.

The President.—The Secretary will please read the Resolution.

The Secretary read as follows:—

"*Resolved,*—That a Committee of seven, to be known as the Committee on Life-Saving Systems and Devices, shall be appointed by the President; that it shall be the duty of the Committee to examine any system or device connected with the saving of life or property from shipwrecks presented on or before the 12th instant, of which a written description, illustrated by plans where necessary, shall be furnished; that only such matters as are favourably reported by the Committee shall be brought before the Conference; and that the Committee shall submit a Report when General Division V of the Programme shall be reached for consideration."

The Resolution was put by the Chair, and unanimously adopted.

The President.—The Conference will now proceed to the consideration of Article 3 of the Rules of the Road. Article 3 will be read by the Secretary.

The Secretary read as follows:—

"Article 3. A steam-ship when under way shall carry———"

Mr. Hall (Great Britain).—We have already dealt with the proposition to strike out the word "sea-going" in the first line. The next amendment will be at the beginning o subsection (*b*), by inserting, after the words "on the starboard side," the following: "at a place not less than 20 feet abaft the masthead-light."

The President.—The Secretary first will read subsection (*b*) of the amendment to Article 3 proposed by Dr. Sieveking.

The Secretary read as follows:—

"On the starboard side, at a place not less than 20 feet abaft the masthead-light, a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles."

"(*c.*) On the port side, at a place not less than 20 feet abaft the masthead-light, right opposite the light mentioned under (*b*), a red light, so constructed as to show an unbroken and uniform light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) The said green and red side-lights shall be fitted with inboard screens, projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow."

The President.—The amendments are before the Conference for discussion.

Captain Mensing (Germany).—I would like to say that the German Delegation can lay no claim to originality in proposing these amendments. It is, I think, one of the oldest plans which we have taken up again, and which, I believe, had been more than forty-two years before the public. In dealing with this question we arrive very easily at the conclusion that by fixing the two lights on each side at a certain place, one would be able at a glance to determine in about what direction a ship seen in the distance was moving. It is also quite true that this alone would not lead to anything which would make it less necessary to watch that other light in the distance. Still, it seems to be a very simple plan, though in practice there have been a great many difficulties in the way.

The proposition has been revived from time to time. One of the most notable occasions is the one mentioned in the Report that the Danish Delegation laid before us, and the very same thing has been adopted, in a modified way, by the German seamen and the seamen the world over. The difficulty is, I take it, to be found in the fact that the side-lights, if they have to be placed forward of the mast, would be in the way of the hatches. If we should say they were to be placed 45 or 30 degrees forward, they would have to be placed where the fore-hatches are in merchant-ships, which makes the whole thing impossible; because, if the side-lights have to be fitted to the side of the ship, it is absolutely necessary that there should be some kind of a fixture which would not always have to be taken in when the ship comes into port and rigged out again when the ship went to sea, and, of course, if there was any structure higher than the bulwarks of the ship it would have to be taken in again so as not to be damaged by the cargo when it is being taken out, and so that the cargo would not have to be lifted so much higher to pass clear over it.

We have been fully aware, in proposing this amendment, that it would be very hard and, I may say, practicably impossible to fix any definite rule where they shall be placed. For instance, say at a certain distance behind the foremast-light or at a certain angle. If we should expect every one to put that light, say, at 45 degrees or 20 feet behind that angle, there would be an enormous cost, and it would turn out that it was quite impossible to do it in many cases. Therefore, we have thought

that it would be well to say that the masthead-lights should be placed abaft the mast. That is the chief thing. If only this could be adopted then there would certainly be some gain. It would be possible to see at a distance how a ship was moving. But just to have it a little more clearly understood in which direction that ship is moving, we propose that it should be provided that the light should be placed at a point not less than 20 feet abaft the mast.

Now, these side-lights may be placed anywhere, from way astern to the bow; there is no limit where they shall be placed. And, therefore, it is quite impossible by just seeing the side-lights and the white masthead-light to form any opinion as to what direction the ship is moving in. Therefore, we have placed the light at a point not less than 20 feet abaft the masthead-light. The 20 feet were introduced by us because we thought it might be a simple way of fixing the point for the light. We thought that was the place where the steamers now place their side-lights, and a place which possibly would be chosen by every captain if he was looking out for a place—say by the side of the bridge. The bridge is, perhaps, properly speaking, from 20 to 30 feet behind the foremast, and it seems to me that this would be a good position for the light, and one that is absolutely necessary for passenger ships, if not for all ships. We thought that this 20 feet would be, perhaps, quite a good place to fix the light.

In the Report of the Committee on Lights, which has been just distributed, there is a proposition in which they say: "But we think that at least some advantage might be gained by placing the side-lights abaft the mast, at as nearly a certain fixed angle as circumstances will permit. Such a change could be made, probably, without incurring great expense, and we wish to propose to the Conference the adoption of a Rule according to which steamers would have to carry their side-lights abaft the foremast-light, the connecting lines forming an angle of six points with the keel, or as nearly so as possible." That is substantially the same idea as that contained in our proposal here; and if this proposition should be adopted by the Conference, we would be most happy to accept it as something better suited, perhaps, to the wants of the practical skipper than the proposition which we have made here.

Mr. Goodrich (United States).—Mr. President, the Delegates from the United States have considered this amendment and do not exactly see the benefit of it. The difficulty in our minds is that this Regulation as proposed would be a very good one if the ships were all of the same construction or of the same size. The desire of the Conference, probably, is to put these running coloured lights in a position on each vessel where that vessel will display them to the best advantage. But if you make a cast-iron rule that they should be carried at least 20 feet abaft the foremast, there are certain small vessels on which you would have to rig out a derrick astern, especially in the case of these small naphtha launches, which my friend from Great Britain is going to dilate upon after a little while. If the matter is left to the master of each vessel to put them either in the widest part of the vessel or to rig them out either before or abaft the masthead-light, I think the purposes of the Conference would be better subserved.

Mr. Hall (Great Britain).—Mr. President, the Delegate from Germany has told the Conference that this matter has really been under discussion among nautical men for the last forty years, and it certainly has not escaped attention or discussion in my country. There is no doubt that *primâ facie* it is the best position in which side-lights can be carried, so far as it is practicable; but we have found that unless you have all vessels built alike, as the Delegate from the United States has pointed out, it is impossible to lay down a rule where the side-lights are to be carried. I cannot give a better illustration than to take the case of modern men-of-war, in which it would be impossible for them to carry the side-lights as proposed, without their being obscured, and therefore I hope that the Delegates from Germany will not think it necessary to press this amendment. If the members of the Conference will kindly look at the last paragraph on p. 9 of the Report of the Committee on Lights they will find a statement there which absolutely abolishes this proposal. It is the last paragraph but one on p. 9; the Committee say:—

"Unfortunately it is, in the Committee's opinion, practically impossible to assign to the side-lights a certain fixed position in regard to the foremast-light, particularly if this position should be chosen forward of the mast, by which, no doubt, the greatest advantage could be gained."

What they say there is that it is impossible to have an absolute fixed position for the side-lights either before or abaft the mast. The Committee then go on to say:—

"But we think that at least some advantage might be gained by placing the side-lights abaft the mast at as nearly a fixed angle as the circumstances will permit. Such a change could be made, probably, without incurring great expense, and we wish to propose to the Conference the adoption of a Rule according to which steamers would have to carry their side-lights abaft the foremast, the connecting line forming an angle of six points with the keel, or as nearly so as possible."

Such a change could be made, and, therefore, the Committee made that suggestion. But, Mr. President, can we propose to pass an International Rule because the Committee thinks it probable that some good would result from it, without any experiments being made to show whether it is absolutely certain that the change could be made practically? I think it would be very unwise, indeed, if we should frame a Rule, because the Committee reports a probability that such a change could be made, without having had elaborate experiments, such as would be necessary to enable us to arrive at a fixed determination upon such a point. The Committee reports that such a change could be made without incurring any great expense. So far as as I can see, as I have said, the Rule would be impossible of execution on the modern men-of-war. The gentlemen who assist us and who represent the navies of their respective countries will, of course, understand that far better than I do, but that is certainly the conclusion that we came to in England. Our Admirals studied this very point,

and they found that it was not practical, having regard to the build of the modern men-of-war. If we pass such a Rule as this, what would be the use of it, unless every existing vessel which plies the sea is to go into harbour or dock and be reconstructed so as to carry her lights in this particular place? Large numbers of vessels would have to have their structures altered in some way to enable them to comply with this amendment. For instance, take a small steamer with fore-rigging set up outside. How could it comply with this amendment?

It is for these reasons, and for the very cogent reasons which have been mentioned by the learned Delegate from the United States, that I hope the Delegates from Germany will not think it necessary to press this amendment to a division. We all agree as to the desirability of it, and that if such a thing could be carried out it would be a good thing to have. But in view of the practical impossibility of carrying it out, my colleagues and myself are not able to support the amendment.

Captain Mensing (Germany).—I think that the proposition made by the Committee is that a hard and fast rule cannot be complied with; but I believe that there is not a ship on the water—not one—that could not fully comply with these Regulations. In this proposition it is simply stated that the lights shall be carried abaft the mast. I do not believe there is anybody present who would state that these lights could not be placed abaft the foremast-light. Then the proposition goes on to say that they shall be placed at as nearly a certain fixed angle as circumstances will permit. If small ships be taken as an example, they would probably put the light abaft the rigging, and I suppose, according to this Rule, near the rigging. But if it could not be placed there without altering the construction of the ship, as the learned Delegate from Great Britain suggests, then all that the Rule says is that these lights shall be placed as near that position as possible. They now can place the side-lights on the whole range of her length, from bow to stern; there is no fixed rule. As I said before, there is no very great advantage to be derived if there cannot be a very strict angle, which the line of the keel forms with the visual line. Even then it is impossible to determine, within two or three points, what the course of the ship is. But if it was only to establish it within four points there might be something gained; and this change could be made without any very great expense. I think this is a matter that should be considered by the Conference.

Captain Shackford (United States).—Mr. President, I merely want to say that, in my judgment, it would be impossible in a great many modern steam-ships to carry the light in this position. The Transatlantic steamers that I have been acquainted with during the last four or five years carry their masthead-light on a stay as far forward as they can get it, and they carry their side-lights in iron towers that are built almost immediately under the masthead-light. In order to change the position of the lights in these ships they will either have to carry the masthead-light further forward, which is impossible, or these towers would have to be changed. Then you would have to take these towers from where they are now and change them aft until the lights have the proper angle as described by the Delegates from Germany. I am sure that this would apply to very many of the modern-built steam-ships.

Captain Sampson (United States).—I would like to call the attention of the Conference to one point. The object of this proposition, of course, is to enable an approaching vessel to determine more accurately the course of the other vessel. Now, if this Conference should adopt a Rule which could not be rigidly carried out, it seems to me that it would result really in danger, for how is the approaching vessel to decide whether the side-lights are to be placed forward or abaft the masthead-light? If the commanding officer of a ship feels that there is even one ship afloat that does not have her lights in the position established by the Rule, he would be uncertain whether or not he was meeting that ship or one which had her lights placed according to this Rule. Consequently the advantages which would result from the adoption of such a Rule as this would be entirely neutralized by the fact that it might be impossible to follow the Rule strictly, as has been pointed out in many cases.

Admiral Bowden-Smith (Great Britain).—Mr. President, I wish to point out with regard to this amendment, which I am very sorry to have to oppose, because I believe that if the lights are to be changed that is the right position for them; but I wish to point out to the honourable Delegate from Germany that when ships are meeting end-on it gives no information, as I understand it. It does give information when ships are crossing, but when ships are meeting end-on this proposal gives us no information.

Captain Mensing (Germany).—I would say to the honourable Delegate from the United States that there is in this proposition of the Committee here a provision which states that the lights shall be placed abaft the foremast-light, so that the captain of a ship sighting another ship at sea would know that this light was placed abaft the mast. It is only to be as nearly as possible at a certain angle. I think, if it would be convenient, that I would ask the Conference to withdraw formally the amendment proposed by the German Delegation, amendment No. 7, in favour of the proposition submitted by the Committee on p. 9. I think that is really everything that we want. Their whole plan has been much more matured, and I think it would be better to postpone this until the discussion of the Report of the Committee on Lights.

The President.—What does the Delegate from Germany wish to withdraw?

Captain Mensing (Germany).—I wish to withdraw amendment No. 7, in favour of the proposal of the Committee on Lights, on p. 9.

Mr. Goodrich (United States).—I would suggest to the Delegate from Germany that he must either make a formal proposition to withdraw this amendment or make a motion to substitute something in its place.

Captain Mensing (Germany).—That would be impossible for me to do just now, and therefore I would ask leave to withdraw this amendment. At the same time, I would ask permission to put another one in later.

Mr. Goodrich (United States).—Mr. President, the motion of the Delegate from Germany should be a motion to withdraw the amendment to subdivisions (*b*) and (*c*).

Captain Mensing (Germany).—Yes, Sir; the amendments in subdivision (*b*) and (*c*) only.

The President.—The question is upon the motion to withdraw amendments to subdivisions (*b*) and (*c*).

The motion was put by the Chair, and carried.

The President.—The next amendment in order will be the 8th amendment. The Secretary will please read it.

The Secretary read as follows:—

"That a certain candle-power be substituted as the standard for the visibility of lights mentioned in these Rules in lieu of the standard now in force."

Captain Mensing (Germany).—I would like to propose that the discussion of this amendment be postponed until the Report of the Lighthouse Board is before the Conference. I may say that it has been said in this Report of the Committee on Lights that they have thought it necessary that some experiments should be carried out by the Lighthouse Board of the United States. These are now actively in progress; I think it absolutely necessary that some agreement should be reached, and that we should have something to base our discussion on in regard to this point. I will simply say that the Preliminary Report of the Lighthouse Board, if I remember correctly, provides that the white light and the side-lights of a ship should have at least 20 candle-power so that the green and red lights can be seen 2 miles. That is certainly a Board which ranks among the first in the world.

But the Hamburg people have come to the conclusion that a green light of about 1½ candle-power can be seen at a distance of 2 miles, and the red also. Here there is only a difference of about fifteen times the amount of power required between these two Reports. Therefore, I think that this matter should be examined, and that there would be no use in discussing the subject before we have more definite information. I think, however, it should be observed that two bodies standing very high in the world should come to such very different opinions about what seems to me to be a very simple thing. They are both acting, so far as I know, on the wording of the text of the Rules of the Road, yet one thinks that we must have a light fifteen times as powerful as the other thinks necessary.

Captain Sampson (United States).—Mr. President, in measurements of this sort everything depends upon the manner in which they are made. If it is required to determine the candle-power necessary for a light so that it may be visible at a certain distance, it must be distinctly understood whether the green shade or the red shade is over the light, or whether the light is measured naked. A white light, of course, when covered with a green or red shade, has much less range than the white light, because the red character is given to it by subtracting from it the more luminous yellow, green, and blue rays. Consequently it must be distinctly stated how the light is to be measured. I intended to make that suggestion when we came to the question as to the power of the light. The light should be measured in its proper lamp, because without such a provision the Rule might be entirely defeated by the character of the glass which is used. There is a very great variation in the glass, not only in thickness but in the quality, and then it becomes necessary to state distinctly that the candle-power, if this Rule is adopted, should be measured when the light is in its appropriate lamp.

Mr. Hall (Great Britain).—With regard to the observations which have fallen from the Delegate from Germany on this proposition, I do not propose to attempt to repeat the powerful argument which has just been advanced by the Delegate from the United States, but there are one or two other matters which I would like to point out. Whatever experiments may be made with regard to candle-power, I hope, at any rate, that we shall not do away with the practical test that the lights are to be visible at least 2 miles. You may have experiments in laboratories, or you may have experiments by the Board of Trade, or by whatever Board you like, or by or before any body in the respective countries, if it be thought necessary, to determine whether or not a ship belonging to that country is properly provided with lights. By all means let them have their standard of candle-power if they desire it, but whatever conclusion we come to I hope that we shall not give up the practical test that these lights can be seen a certain distance at sea. I would point out that a light seen in a laboratory is a very different thing from being seen through a lamp at sea. As long as we have this test that a light must be visible at least 2 miles, you can always see whether or not your lamp fulfils this requirement. Test it in any other way you like, but retain the practical test that it must be visible at least 2 miles.

I have said that this question of candle-power is one which each nation can decide for itself. It can test the lamps on board of its vessels in order to determine what unit of candle-power is necessary to make the light visible at least 2 miles at sea. But how can we, in this Conference, propose an International Rule as a substitute for the practical Rule upon which there has been no difficulty, so far as I know, providing that the light shall be visible at least 2 miles. We have made inquiries, and so far as we are informed there is no International photometric system at all; 15 candle-power in Germany is not necessarily the same thing as 15 candle-power in some other country. As suggested by the Delegate from the United States, what is the use of this Rule unless it is to apply always to the same kind of a light? I go further than he does. I say that in order to arrive at a fair test and a fair standard it would require that the glass of the lamp should be invariably of the same nature, of the same colour, of the same make, and the same thickness. You may have a light which would be 15 candle-power and put it in another lamp and it may be only 1 or 2 candle-power. It will depend to a great extent upon the thickness, the make, and nature of the glass. It will depend very much on the size of the wick. It will depend on the amount of oil which is burned by the wick.

All of these matters are practical matters to deal with, and therefore it is that when these Rules were drawn up, instead of giving the laboratory experiments prescribing that the light must be a

certain candle-power, it was provided that light must be seen 2 miles at sea, and left it to the various nations to decide what character of light should be carried to be seen at that distance. In our Board of Trade this matter was most carefully considered and studied by one of the greatest men that ever lived, that is, Professor Faraday. He worked at this and came to the conclusion that you could not have a standard of candle-powder which was reliable; that we must insist on having a light that practically could be seen 2 miles. It was not sufficient to have a candle-power. That might be illusory, because it required so many given conditions to make a test applicable in anything like a general degree. Therefore it was thought, and we still think, that this is the real test—the distance within which the light can be seen.

Let me give you a practical illustration. In our Admiralty Court, when there is a dispute about a vessel's lights, we do not take them into a laboratory and see how they burn, but we take them down to Shoeburyness, and we test them and see whether they are good lights or not. They are tested in the presence of practical men, who can see for themselves whether these lights are visible; and that is the simplest way that you can practically test the lights to be shown at sea. In a laboratory you have no draught. You have got nothing that may splash the sea upon the glass of the lamp. You may have a lamp that would show beautifully for 2 miles in a laboratory, and take it out at sea and it would not be worth anything after ten minutes. We thing that it is a difficult matter to arrive at an international standard of candle-power.

There is another reason why we are not in favour of this amendment. You cannot get uniform glass made. I have already pointed out that the glass would have to be of a particular thickness and of the same character and nature. But there are any number of different makes of glass. There is what is called pot glass through which you see a light at a different distance from what you would through what is called flash glass. I apprehend that it is most desirable that the different countries should be most vigilant to see that the lights carried by their vessels are proper lights. But as we are to frame an International Rule, we should not endeavour to lay down rules which are to be fixed by each country with regard to the lights to be carried by vessels belonging to the particular country, and having regard, as I say, to the difficulty of finding an absolutely international photometric system by which it is practicable to test the light to be carried by the vessels of different countries, I submit that the best course is to adopt the present practical test that the light shall be visible at least 2 miles.

Captain Sampson (United States).—I quite agree with the learned Delegate from Great Britain in what he says as to a uniform photometric system. But, as I understand it, the object of this Rule is to make a practical Rule to provide that the light shall be visible at a distance of 2 or 3 miles as the case may be, and then further make that Rule more certain. The Rule as it now stands is tested only in cases where it becomes a matter of dispute. The lights of a ship are made probably without any regard and used without any regard to the present existing Rule. If we establish such a Rule as is proposed in this amendment it would be possible for the proper Government officials to examine every light that is made for vessels at sea. Owing to the many difficulties which arise in applying this Rule, the lack of uniformity in different countries is one of no very great consequence, because the value of the candle-power is pretty well established the world over.

The difference in the nature of the glass is a very important matter, but if this Rule as established is understood to mean that the photometric test shall be made when the light is in the lamp, and under those conditions shall comply with the Rule, certainly it becomes as nearly an accurate test as we can hope to reach. The objections which were pointed out by the distinguished Delegate from Great Britain in regard to this Rule are, of course, not discovered under the present Rule. He says that the lights which might fulfil the test under the present Rule might not do so when used at sea. But the light which is tested according to the present Rule, so that it shall be visible for 2 miles at sea, is liable to the same defect. I think this Rule is a very desirable one, in order to make the present practical test more certain.

Mr. Verney (Siam).—Mr. President, perhaps I may have a claim to say a few words on this subject, as an amendment stands in my name which will follow this. I have listened with extreme attention to what has been said by the Delegates from the United States and also the learned Delegate from Great Britain, and I desire to propose to this Conference that they might perhaps retain both tests. That is what I have put into amendment No. 37, which stands in my name. I think that no one here will differ from what the learned Delegate from Great Britain has said as to the importance of retaining the distance tests for practical guides at sea as to the measurement of the power of the light. I think also that we must all have been impressed by the arguments which have been so forcibly urged upon us by the gallant Delegate from the United States as to the importance of the photometric tests, which shall be, as nearly as possible, of such a character as to get the proper distances, and shall be made with the light in the lamp.

I venture to suggest, therefore, to this Conference that what is wanted is an accurate photometric test which shall govern the construction and inspection of the lamps while we retain the distance measurements which shall be the practical guide of seamen. In reply to what has fallen from the learned Delegate from Great Britain in regard to the tests, I could not but think, as he was describing the tests which took place at Shoeburyness, under what different circumstances they were applied from the circumstances which arise when the light is seen on board a vessel. It was said that it was perfectly easy to take the lamps down to Shoeburyness and test their efficiency. But let me remind the Conference that probably at the time when the lamp was taken from the ship and taken down to Shoeburyness the wick was trimmed, the reflector was brightened up, and the whole light was a very different one at Shoeburyness from what it was on board the ship. I would venture to suggest that that was not by any means a fair test, but what we want to arrive at is the condition of the light at the time it was carried on board the ship, at the critical moment before the collision, to ascertain whether the light was in such a condition that it could be seen for 2 or 3 or any number of miles which this Conference thinks it should be made visible. I shall venture, therefore,

to ask the Conference whether they will not agree upon some photometric test or candle-power and still not relieve the seaman from the responsibility of keeping that light in a proper condition.

If we agree upon a candle-power, we then put into the seaman's hands an instrument which, if he keeps it in proper condition, will be seen the required number of miles. And I would ask whether there are not experts, scientific experts, who can tell us definitely what number of miles a certain amount of candle-power can be seen. I will ask the Conference whether it is not far better to try and get accuracy from a scientific point of view and at the same time fix upon the sailor and seaman a full amount of responsibility by requiring him to have the lamps in a proper condition, so as to be seen the required distance.

Captain Mensing (Germany).—I am extremely sorry that the Report of the Committee on Lights was not in the hands of the Conference before this session. Upon pp. 10 and 11 the learned Delegate from Great Britain can see exactly what the Committee on Lights have thought to be the difficulty. They have also dealt with the subject on pp. 1, 2, 3, 4, 5, 6, and 7. I think that every difficulty that is expressed as existing is fairly met in this publication. Certainly this is a matter appealing to the heart of every man. I believe that every one of us is willing and anxious to adopt practical solutions to these Rules, and nothing else. The learned Delegate from Great Britain has stated that these lamps were tried by taking them to Shoeburyness to see whether they actually had a range of 2 miles. I wish to state that in my opinion the ordinary lanterns of Great Britain are, so far as I know, controlled by the Board of Trade, and they only measure the wick, the glass, the opening, the reflector, and nothing else.

The learned Delegate from Great Britain has already spoken of the colour and thickness of the glass, but he has left out about the consumption of the oil. This proposition reads that the lantern shall be "so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so placed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles."

There is one thing which occurs to me, and that is whether this light should be seen with the naked eye at that distance or whether telescopes might be used. It only states that it shall be visible. Of course it should be visible at a much greater range with a telescope than with the naked eye. Then it says, "on a dark night, with a clear atmosphere." I take this to mean the most favourable state of the atmosphere. Then I would like to state, so far as I know, that such a state of the atmosphere is found on the coast of the Channel only about ten days of the year. If a captain or any Government officer wants to find out whether the light is visible at a distance of 2 miles, it can be done only ten days in the year. He may spend months coming and going waiting for a day or an hour that will be available, when the state of the atmosphere will be such that he can determine the question.

Then, again, there is something in the light itself. It has been found by experiments, which I am perfectly willing to lay before the Conference if it should be desirable, that the lantern has not the same power of light all over the arc of vision, that within an angle of from twenty to forty-five degrees from the bow of the vessel, there is very often more power than at other places. The Committee on Lights are of the opinion, if I may take the liberty of saying so, that it will be very difficult to carry a light which will be seen at a greater distance than 2 miles. If we should say that it should be seen at 2 miles, and then one learned body comes to the conclusion that in order to have the red light visible 2 miles it should be 30 candle-power, and another learned body comes to the conclusion that 2 candle-power would do for the green light, what are we to do? I think it necessary that we should adopt some common standard. The learned Delegate from Great Britain has said that there is some difficulty in getting a standard of candle-power. Then we could substitute the Colza lamp, that is one which has been used.

At the end of this Report of the Committee on Lights it says: "That in the opinion of the Committee the power of all running- and anchor-lights should be expressed by referring them to one standard by which the light issuing from the lantern should be measured."

Then the Report says that "the minimum power only of such lights shall be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the ship with proper lanterns to employ lights of this or higher power."

If we simply fix the minimum power of the light and leave it to every person to use electric lights or incandescent lights, or any other strong light, there would be no disadvantage, according to the opinion of the Committee. Therefore the Committee say that only the minimum power of the lights should be fixed. In order to find out whether a lantern has this power or not is the simplest thing in the world. It is only to put one of the lamps here and another one there, and in between them to put a simple photometer, which will indicate at once whether one lamp is as powerful as the other.

Then the Committe say :—

"That the use of electric incandescent lamps is to be permitted; that the use of the arc light, however, at least for the present, is to be excluded for all purposes other than signalling and search-lights; that each lantern must be so constructed that the minimum power of light is to be found at every point where the light is to be visible, after the lamp has been fitted with proper screens; that the lantern shall be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the ship be heeled one way or the other 12 degrees;

"That the colour of the glasses by which the colouring of the light is to be produced be so chosen that the lights retain their distinctive colour even in a fog;

"That no detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance be given inventors to produce serviceable articles."

There is one point I would like particularly to call attention to in the first paragraph. It says :—

"That, in the opinion of the Committee, the power of all running- and anchor-lights should be expressed by referring them all to one standard by which the light *issuing* from the lantern should be measured."

Now, the proposition is not to measure the lamp, but to measure the light issuing from the lamp, whether it be green or red or white; and if you know that the light coming from the lantern is of such a power, no matter what it comes from, and no matter by what means it is obtained, that it is simply emanating from the lantern, is all that is necessary.

Captain Sampson (United States).—Mr. President, I do not see any impossibility in determining in a laboratory whether a light is visible 2 miles or not. If a light, for example a white light, was to be visible at a distance of 5 miles, then the light would be taken a distance of 5 miles and turned down, or its brilliancy increased, until the brightness of that light is satisfactory, and it is visible 5 miles. It is then taken into the laboratory and its photometric power measured, and it is found to be 20 or 30 candle-power. Then that is to become a permanent standard by which the lights should be required to be measured. It is, then, practicable to test all lights, which is not done at the present time. All conditions of the weather and all circumstances outside of the lights do not enter into this question at all. It is simply a test of the light emitted from the lamp. According to the present Rule, the light must be such a one as can be seen on a dark night, with a clear atmosphere, for a distance of at least 2 miles or 5 miles. Of course the moment you begin to consider the changes in the condition of the weather and the atmosphere, the condition of the light is changed; but we have nothing to do with that in the consideration of this question. It is simply whether the light, taken in its normal condition, will reach a permanent standard which has been practically established. It then becomes possible to duplicate the practical conditions under all circumstances, and with the greatest possible facility.

The Delegate from Germany has stated the difference between the results in different countries as to the visibility of lights. That is due to the method in which the light is measured. The results given by the United States' Lighthouse Board were measurements of lamps used in the United States' service, and, of course, the candle-power of a naked light is very much greater than the light emitted by the lamp itself.

Admiral Bowden-Smith (Great Britain).—I wish to let the Conference know that the lights supplied by the British Admiralty for Her Majesty's ships are not tried at Shoeburyness, but are tried by the photometric system. I must say that I agree with the honourable Delegates from Germany and from the United States that the photometric system is a very accurate one for trying lights. There is no doubt about it, by any one who has given it any serious consideration. But what we wish to do, I believe, is to keep in the test of distance. I do not think, if I understand my colleagues, that they object to the photometric system. How can they do so when our Admiralty is using it? I have got all the Regulations with me, and will talk them over with any Delegate who will be kind enough to talk with me on the matter. But what we wish to do is to keep the distance in the Rules, so that every simple sailor knows what his light is supposed to do. Jack does not know what candle-power is, but he knows what 2 miles is. We want to retain that simple language.

Mr. Hall (Great Britain).—I would like to point out that we are rather departing from the original point of discussion. The proposal was to substitute candle-power in lieu of the standard now in force. That is the subject which I was debating. I think it is most undesirable to do away with the practical test that it shall be visible at least 2 miles. Now, let me call the attention of the Conference to this amendment. It is merely an abstract proposition; it is not a Rule at all. If we are to arrive at something definite, I hope that the gallant Delegates from Germany will propose some Rule in regard to the matter.

Mr. Goodrich (United States).—It seems to me that the summing up of all the differences of the members of the Conference was announced in the aphorism of the gallant Admiral of Great Britain, when he said, "You cannot drill into Jack's head what candle-power is, but he knows what 2 miles is." In other words, you cannot make a scientist of Jack Tar. You cannot hire a scientist at 15 dollars per month. The illustration which has been given by the Delegates from Great Britain seems to illustrate very forcibly the propriety of retaining in the Rule the test by distance. We have in our State the Rule that the Collectors of Customs in various parts of the country may examine and see that the lights are properly supplied to the vessels, and that the Collectors may prevent a vessel from going to sea until proper appliances are supplied. But that is entirely obsolete, because it is never enforced. I do not know but our English cousins do a great deal better than we do in enforcing the Rules in that regard, for we do not enforce them at all. I never heard of any case in the United States where the Collector of Customs examined the lights of a ship before she went to sea, in order to determine whether she had complied with the Rules.

As I read the Report of the Committee on Lights, I see no argument in favour of this proposition. It simply says that in the opinion of the Committee the power of all running- and anchor-lights should be expressed by referring them to one standard by which the light issuing from the lantern may be measured.

It does not say that it should be by a photometric test or a test by distance. There is no member around the Council Board who does not agree that there shall be a standard; but what is the standard recommended by the Report? Is it the standard of distance or the standard by the photometric test? We all agree that the lowest of the lights should be seen 2 miles, or possibly some of us may urge that the standard should be increased to 3 miles, and that the masthead-light shall be seen 5 miles; some of us may, perhaps, desire that it should be seen 6 or 7 or 8 miles.

We have got to have first the most important discussion of this Rule by Jack on the deck, and

thereafter by the Judge in the forum. My gallant colleague shakes his head; I think I am right, bowing with great respect, as I do, to his greater nautical skill and knowledge. It seems to me that the sailor cannot say that this light is 20 or 30 candle-power, but that he could say that this light is to be seen 2 miles away, and then he may trim his wick, or turn his light, or clean his glass so that his light can be seen at a distance of 2 miles. In other words, let us have simplicity in these Rules, so that the commonest man who treads the deck of a ship may understand them.

Captain Sampson (United States).—I dislike to take up the time of the Conference in discussing this question; but it seems to me that this is not a question as to what the sailor may understand by candle-power. Jack does not know now whether his light is visible 2 or 3 miles, necessarily. He does not know anything about the construction of the lamp. He simply knows his lamp is there for a special purpose, that he sees it at a certain distance. What we desire in this amendment is to fix the Rule which will make the distance certain. It is not necessary that the sailor on board the ship shall know that the lamp has ever been tested. The object is simply to make the Rule more certain, and to apply it to all cases to which the present Rule does not apply. Lamps are not tested. This method renders it possible to test them with certainty, ease, and rapidity. Such a Rule might be adopted, so simple that it could be applied without any difficulty whatever. I would suggest that, to overcome the difficulties which appear to exist in this matter, the present Rule, as it reads, be retained in the Rules of the Road, with a note to explain that the required visibility of the light shall be determined by the photometric system, and shall be of a certain candle-power. It seems to me that would accomplish our object without changing the Rule, which is really to apply on board a ship, and it would render it possible for the proper Government officers to test the lights.

Mr. Hall (Great Britain).—There are one or two observations I want to make. One is with regard to what fell from the learned Delegate from the United States with regard to the way in which the lights are examined in this country. I understood from him that the examination here was very perfunctory, if it took place at all. With us the lights of the vessels are not only very carefully examined, but a vessel before proceeding to sea is obliged to have a certificate that her lights are in good order, and she has to produce that certificate when she comes back from a voyage.

Now, with regard to the suggestion which has fallen from the learned Delegate from the United States, I certainly think that it would be very much the better course to pursue, as he suggests. I do not see how we can order every governing Power to examine the lamps of her vessels in a particular way, although a suggestion which would call the attention of the Powers to the necessity of having a simple examination of the lights on board the vessels plying in that country would be desirable, so that they shall be sure that they are carrying lights which shall be visible at a certain distance. I think it would be a very desirable course to take, as has been suggested, to keep the Rule as it is and append a note explanatory of it.

Mr. Goodrich (United States).—Mr. President, perhaps I should suggest to the learned Delegate from Great Britain that, in my remarks about there being practically no examination of lights by the Collectors of Customs, I referred to vessels that were going to sea, not steam-ships in the harbour nor steam-ships going to sea; I applied my remarks rather to sailing-vessels. I never heard of any case where the lights of sailing-vessels were examined preparatory to her going to sea; and in that my colleague of the merchant marine agrees with me. We do examine the lights in the harbour, and the other appliances and equipments of steam-ships in the harbour, but do not examine the lights of sailing-vessels going to sea.

The President.—The question before the Conference is upon the motion of the Delegate from Germany, to postpone this subject until the Report from the Lighthouse Board has been presented. That is the question now before the Conference. I understand that that was the proposition of Captain Mensing.

Mr. Verney (Siam).—May I ask one question? May I ask whether we are to understand that this amendment is retained in the words in which it was originally put? The amendment, as it is proposed, is in the following words:—

"That a certain candle-power be substituted as a standard for the visibility of lights mentioned in these Rules, in lieu of the standard now in force."

May I ask if the learned Delegate from Germany will explain whether he wishes the amendment to remain in exactly these words?

Mr. Goodrich (United States).—The question now is to postpone.

Mr. Verney (Siam).—I want to know, before we postpone it, whether it is to be retained in these words.

The President.—The question is upon the postponement.

Mr. Hall (Great Britain).—I do not quite understand what we shall gain by postponing this discussion with regard to this amendment. It has been very fully debated. Of course, the Report of the Lighthouse Board may deal with this question; if so, we should be only too glad to have the result of their deliberations to assist us. But unless there is some reason to apprehend that they are dealing with this question, I do not see what is the use of postponing it. Of course, if the learned Delegate tells me that there is reason to apprehend that there will be anything whatever in the Report of the Board that pertains to this question, that will alter the case. But I think it is not necessary to postpone this discussion. We have discussed it at great length. I think the proposition of the Delegate from the United States would meet, probably, with support from a great many of the Delegates here present, because it seems to be a very fair way of reconciling the differences on both sides. I hope that we shall be able to vote upon it here to-day.

Captain Sampson (United States).—I will say that, as I understand it, the object in deferring the discussion was to learn whether the maximum range of these side-lights is as now prescribed in the Rules. I was, unfortunately, absent from the last meeting, and so I am not quite familiar with what has been done. As I understand it, the Lighthouse Board are now making tests to determine

whether the side-lights should not be seen at a greater distance than 2 miles, so that the Rule might be altered in conformity with it.

Mr. Goodrich (United States).—Following the suggestion made by the learned Delegate from Great Britain, it seems to me that our consideration of these Rules will be interminable if we, after a careful and learned discussion upon the subject presented under an amendmnt, postpone the decision of it for a reason which is not entirely clear. It seems to me that we ought not to postpone the discussion upon this question. We are now practically agreed upon it. We are practically agreed that it is wise to have the photometric test with the distance test retained in the Rule. The other matter with reference to the Report of the Lighthouse Board will come in a little more appropriately when we come to discuss the distance at which these lights should be seen, because there are one or two amendments which propose to increase the distance from 2 to 3 miles. So I suggest that we had better take our votes now, and not use up another session of the Conference in the discussion of this subject.

Captain Mensing (Germany).—Following the suggestion of the learned Delegate from the United States, it seems to me that, in accordance with this amendment, where it is stated that a certain candle-power shall be substituted for the standard now in use, we would have to say in Article 3 that the lights should be visible at such a distance and be of such a candle-power. It is impossible to give the candle-power before the Report of the Lighthouse Board comes before us. As far as I remember, the letter addressed to the Board by the President of the Conference asked for some experiments by which it could be determined what candle-power was necessary to make, under all conditions of Article 3, on a dark night, in a clear atmosphere, a green light visible 2 miles, a red light visible 2 miles, and a white light visible 5 miles.

If that is so, it will be very easy to substitute the candle-power here, and there will be no difficulty in changing the amendment according to the suggestion of the Delegate from the United States. I would like to amend it in that way in the name of the German Delegation. It would then be given in both ways. If only the principle was adopted, the details might be arranged afterwards. It is not that we want to change anything by this amendment. It is only that our idea is that this standard should be given so as to make it what we consider more definite and clear, and so that everybody would know what it meant. I think there would be nothing against it if we should adopt that solution.

Mr. Goodrich (United States).—Will Captain Mensing please read his amendment as he proposes it?

Captain Mensing (Germany).—That a certain candle-power be adopted as the standard of the visibility of lights mentioned in these Rules, in addition to the standard now in force.

Captain Sampson (United States).—"To determine" would be better.

The President.—The Secretary will please read the proposition.

The proposition was as follows: To amend the eighth amendment so as to read as follows:—

"That a certain candle-power be adopted as the standard for the visibility of lights mentioned in these Rules, in addition to the standard now in force."

The President.—Does the Delegate from Germany accept the amendment of the Delegate from the United States?

Captain Sampson (United States).—That makes two standards.

Captain Mensing (Germany).—I think that it should be expressed so as to say that the lights should be of a certain candle-power, and that they should be seen on a clear night at a distance of at least 2 miles.

Captain Sampson (United States).—I think that the word "additional" would result in there being two standards.

Captain Mensing (Germany).—I am unable, then, to give the word without further consideration. I simply want to express the intention here to meet exactly the idea which Captain Sampson has suggested.

The President.—Captain Sampson will state the word which he proposes, if the Delegate from Germany will accept that.

Captain Sampson (United States).—Mr. President, I would suggest that the amendment offered by the German Delegation be put in the form of a note to read something to this effect: That a certain candle-power be adopted as the standard for the visibility of the lights mentioned in these Rules——.

The President.—Will you be kind enough to write that out so that it may be read by the Secretary?

Mr. Hall (Great Britain).—I hope that this proposition will be accepted by the Conference. I think that it meets very fairly the requirements of both sides. We could support that proposition, which I apprehend will come on in the form of an amendment to the amendment of the Delegate from Germany.

Captain Sampson (United States).—I would propose that it be something like this:—

"That a certain candle-power be adopted as the standard of the visibility of light mentioned in these Rules, that candle-power to be hereafter determined."

The President.—Does the Delegate from Germany accept this as a substitute for his amendment?

Captain Mensing (Germany).—Yes, Sir; I do.

The President.—Is the Conference ready for a vote upon this amendment? The amendment will be read.

The amendment is as follows:—

"That a certain candle-power be adopted as a standard for the visibility of light mentioned in these Rules, the candle-power to be hereafter determined."

The President.—Is this to be a substitute for the amendment of the Delegate from Germany?

Mr. Hall (Great Britain).—It is to appear in the shape of a note to the Rules.

The question upon the substitute for the amendment of the Delegate from Germany was put to the Conference, and carried.

The President.—The next Article in order is the thirty-second amendment, proposed by Captain Settembrini. The Secretary will please read it.

The Secretary read as follows:—

"Article 3. A sea-going steam-ship, when under way, shall carry—

"(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*c.*) On the port side a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) On the stern a white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twelve points of the compass, so fixed as to show the light from right aft to six points on the port and starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"Such light shall be carried as nearly as practicable on the same level as the side-lights."

Mr. Hall (Great Britain).—This amendment is left out of some of our copies. This is not really an amendment to Article 3 at all. It is an addition really to the Article dealing with stern-lights. That is the reason I was unable to find it in my copy. I had placed it in its order in the Articles dealing with stern-lights. Of course, if the Conference wishes to discuss it now we will go on with it, but I think it would be well to deal with it under the Rules relating to stern-lights.

The President.—Does the Delegate from Italy accept the suggestion?

Captain Settembrini (Italy).—Yes, Sir; I accept it.

The President.—The next in order will be the thirty-seventh amendment. The Secretary will please read the thirty-seventh amendment.

The Secretary read as follows:—

"As the danger of collision depends much more on the speed of approaching vessels than on any other consideration, the lights to be carried on any steam-ship under way shall depend on the maximum speed of such ship, and that, while retaining in the Rules of the Road a measurement of distance for the guidance of seamen, the intensity of the lights to be carried shall be expressed by some agreed-on unit of measurement, and shall have some reference to the maximum speed of the steam-ship that carries them."

Mr. Verney (Siam).—Mr. President, no one can regret more than myself that before speaking on this subject I had not the opportunity of studying the very important Report of the Committee on Lights. So much of this amendment of mine has already been under discussion that it relieves me from the necessity of taking up the time of the Conference except for a few moments. I apprehend that from the words, "while retaining in the Rules," down to the words, "an agreed-on unit of measurement," I need say nothing, as that has been under discussion this morning, and it would be a waste of time if I should say any more on that subject. But perhaps I may be allowed to say to the Conference that this proposal does not in any way spring from the imaginative brain of a landsman.

I do not, of course, pretend to any experience whatever in these matters as compared with many of the gentlemen sitting around me; but this is a proposal by a seaman of great experience, and in regard to which I hope to hear opinions from other seamen of great experience. It is not necessary for me to remind this Conference that during the last few years the speed of vessels has so enormously increased as to render the kind and quality of the lights to be carried entirely different from those carried twenty years ago. I think I am not exaggerating when I say that it is quite possible for two steam-ships to approach each other at a combined rate of something like a mile in a minute and a half.

It has been represented to me by men who are in the habit of navigating the ocean, and particularly by pilots, that it is exceedingly important for them to be able to distinguish at a far greater distance the steam-ships which come upon them with great rapidity. It is much more necessary to distinguish these at a great distance than it is ships of ordinary speed. Various proposals have been made in order to carry out this idea, so as to increase the safety of those who are engaged in navigating small ships. There has been a proposal made, which, of course, has been introduced

into this Report, to carry double lights, two green lights on the starboard side and two red lights on the port side. There has already been a proposal that these lights, the ordinary starboard and port lights, shall be increased in intensity.

I have not forgotten that many sailors are strongly opposed to electric lights on board ship. I have heard several opinions expressed on that subject. I have never heard but one opinion from sailors, and I have talked with several with regard to this matter of lights on a big steam-ship, and that opinion is that they should be of the most brilliant character possible. It is on that point that I desire to elicit opinions from this Conference. By the words, "shall have some reference to the maximum speed of the steam-ship that carries them," I do not for one moment mean to have a graduated scale of lights running in accordance to the number of knots that a steam-ship can steam.

But I do mean to say that it seems to be advisable, in the minds of many I have consulted, that the light should bear some reference to the maximum speed of the steam-ship which carries the light. What that reference shall be and how far that reference shall go, how exact an equivalent you can safely demand in the intensity of the light with reference to the speed of the ship, I will gladly leave to the better judgment of those who have a practical knowledge of this matter. I merely beg to ask the Conference to give its opinion on the general principle which is embodied in the Resolution.

The President.—The question is upon the thirty-seventh amendment.

Captain Mensing (Germany).—I would like to state that in the Report of the Committee on Lights there has been very great difficulty expressed as to the manner of increasing the power of the light. I refer to this Report on p. 3. The Report of the Committee on Lights expresses the opinion that it is not the steamers that are in want of being seen at a greater distance, but that it is the sailing-vessels. A sailing-vessel has scarcely ever to get out of the way of a steamer, or never to get out of the way of a steamer, but a steamer has to get out of the way of a sailing-vessel.

Therefore, I take it, the difficulty is that the sailing-vessel has to be seen. It might be very nice for a pilot-vessel to see a steamer at a distance of 18 miles, because of course he knows his prey is there and he would like to get near her; but I perceive no very great advantage to be obtained in regard to pilot-vessels, because the pilot-vessel does not have to get out of the way of the steamer. Therefore, as long as the Delegate from Siam is unable to propose any definite proposition stating how he means to make the distinction between these lights, I do not think I would be in favour of the amendment. Two different propositions have been made in regard to this. One is that a system should be adopted of an occulting light, to become invisible for a short space every half minute, for all ships that go faster than 13 knots an hour; and in the other instance, the originator, who, I am sorry to say, is not here to-day, but who belongs to this Conference, proposes to use a scintillating electric light on steamers which go faster than 12 knots. That would perhaps meet the idea of the Delegate from Siam, but it would necessitate also the construction of a much more cumbersome and complicated lamp. As the Committee on Lights have been impressed with this idea, and believe that it would not be practicable to introduce such a lantern, they have not thought it advisable to recommend it to the consideration of the Conference.

The President.—Is the Conference ready for the question on this amendment?

Mr. Hall (Great Britain).—I will point out that really there is no question before the Conference. It is an abstract proposition, and the really important point of it has already been dealt with in the Resolution which has been passed by the Conference. With regard to the first part of the amendment, I think we can all see the practical difficulty in endeavouring to frame a Rule which will meet the requirements of this case. I think the Committee on Lights have pointed out the very great difficulty of doing anything of the kind; and if that be so, I have no doubt the learned Delegate from Siam will not think it necessary to press his amendment.

Mr. Verney (Siam).—I do not wish to put it in the form of an amendment in the same sense as it would be in an amendment to one of the Rules. As the Delegate from Great Britain says, it is in the form of an abstract proposition. I think that in all probability, if I had had an opportunity of listening to the debate which has been going on here this morning, and also an opportunity of looking through this Report of the Committee on Lights, which I have only been able hastily to glance at, I would not have submitted this last proposal to the Conference. Therefore, if I am within my powers, I would be glad to withdraw it as an amendment.

The President.—The Delegate from Siam moves to withdraw amendment No. 37.

The motion was put to the Conference, and carried.

The President.—The next amendment is No. 46. The Secretary will please read it.

The amendment is as follows:—

"That a definition of the word 'uniform' in the expression 'uniform and unbroken light,' as used in these Regulations, be appended to the Regulations."

Mr Verney (Siam).—Mr. President, I am extremely sorry to have to inflict my voice upon the Conference again so soon; but I think this is a matter which requires the attention of the Conference, as this word "uniform," as I understand it, may be used in more than one sense; and if it is to be used in the way in which I have read it, I think it is very mischievous. The word "uniform," if used to apply to the intensity of the light, which has been done, as I am informed, entirely excludes the use of reflectors; because, as was explained by the gallant Delegate from the United States, the light can never be uniform in that sense from any lantern. At all events, it cannot be uniform out of any lantern where you use a reflector. I venture to suggest that the word "uniform" should be left out or else clearly defined. If it is left out altogether, I am not quite sure that the Rule will suffer very much. We all know what an unbroken light means. It means a light which is not partially obscured by a spar or a rope or anything else of that kind.

I contend that the word "uniform" may be misleading and is unnecessary. But if retained

should be defined. If the word "uniform" is to mean the same thing as "steady" I would venture to think that the word "steady" would be far better in its place—make it read "a steady, unbroken light." I suppose that means a light which is not allowed to flicker from minute to minute or half-hour to half-hour. All that I desire to get the Conference to insist upon is that the word "uniform" should not mean uniform intensity of the light, for I think that if it means that you exclude, as I said before, the use of all reflectors, which are always bound to throw the rays of light more brilliantly in one direction than they do in another. In reference to that point I might just point out to the Conference this fact: If you should agree upon a certain degree of candle-power and retain the word "uniform," you might find yourself in the position of contradicting one Rule by another.

I venture to put before the Conference the suggestion that the application of the word "uniform" as to the intensity of the light is extremely misleading, and it is better either to drop that word out of the Rule altogether or else to define it so that it shall not be applied to the intensity of the light.

Mr. Hall (Great Britain).—The attention of my colleagues and myself has been drawn to this word by the amendment of the learned Delegate from Siam, and we feel that there is a great deal to be said in criticism of the word. He has said that you cannot make the light uniform, strictly speaking. I had perhaps better state how it was that the word was originally used. When the side-lights were first made, our Board of Trade found that they were made in any manner. Some were made of glass which had no obstructions in it; some were made like the ordinary stable lanterns, with four corners, with a piece of wood down where the glass was joined. Therefore, it was thought necessary to use some epithet which would prevent them from using such lanterns as this. Therefore, the word "uniform" was put in. I think the word "unbroken" fulfils the requirement laid down by the Rule, and therefore we are perfectly willing to support the proposition to strike out the word "uniform" as being both misleading and unnecessary.

Mr. Verney (Siam).—If I may be allowed, I will ask that the word "uniform" wherever it appears in the Regulations shall be omitted.

Mr. Goodrich (United States).—Make your motion to strike out the word wherever it occurs in Article 3.

Mr. Verney (Siam).—I will make the motion.

The President.—The Delegate from Siam moves to strike out the word "uniform" wherever it occurs in Article 3.

The motion was put to the Conference, and carried.

The President.—The next amendment in order is Article 4, the ninth amendment.

The amendment is as follows:—

"A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 6 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam-ships are required to carry."

Mr. Hall (Great Britain).—Before we proceed to this amendment, there are two more amendments dealing with Article 3, of which notice has been given. I think we might be in a position now to deal with them, so as to get rid of all the amendments to Article 3. The amendment is the extra amendment No. 3, proposed by the Delegate from the Netherlands. That is a proposition to increase the distance in subsection (*b*), and also an amendment to subsections (*d*) and (*e*).

The President.—The Secretary will read the amendment.

The amendment was read as follows:—

"*Lights for Steamers.*

"Article 3. A steam-ship, when under way, shall carry—

"(*a*). On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, namely, from right ahead to two points abaft the beam on either side, and of such character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side a green light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 3 miles.

"(*c.*) On the port side a red light, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*d.*) The said green and red lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow within a certain distance in front of the bows, say 100 metres.

"(*e.*) On her stern, at the same height as her side-lights, an irregularly occulting light so screened that it shall be visible over an arc of twelve points, that is to say, from six points from right aft on each side of the ship, and at a distance of at least 1 mile. It is advisable that the side-lights and the stern-light are to be placed higher than the lights of cabins and skylights, and that the side-lights on board of every steamer are placed in the same way concerning the masthead-light."

Mr. Goodrich (United States).—Mr. President, I think the Conference would like to be advised whether any member is willing to say that it is practicable to construct a green light which can be seen 3 miles. My colleague, Captain Sampson, says that the subject is now under consideration by the Lighthouse Board, and I suggest that we had better postpone the consideration of this Article until that Report is brought in.

The President.—The Secretary will please read a letter received from the Lighthouse Board, *à propos* of this subject.

The Secretary read as follows :—

"Sir, "*Washington, D.C., October* 25, 1889.

"The Board has the honour to acknowledge your letter of the 25th October, 1889, inclosing one of the 24th October, from Vice-Admiral Kaznakoff, Chairman of the Committee on Lights, asking the power required in order that side-lights, green and red, may be visible to the naked eye 2 miles in clear weather, and white 5 miles. The Board will give the matter immediate careful consideration, and give you such information as may be in its power at an early day.

"Very respectfully,

(Signed) "GEORGE W. COFFIN,

"*Commander, United States' Navy, Naval Secretary.*

"S. R. Franklin, Rear Admiral United States' Navy,
"President, International Marine Conference,
"State Department, Washington, D.C."

Mr. Hall (Great Britain).—Mr. President, I should certainly think we should be glad to have the assistance of the Lighthouse Board in every possible way. But the Report of the Committee on Lights, I apprehend, is very conclusive on this point. It is possible that the Lighthouse Board may find that with a lamp constructed in a particular way, of a very large size, it might be possible to get a green light to show 3 miles. But the Committee on Lights point out that it is practically impossible for ordinary vessels to be provided with such a light. I will just read that portion of the Report of the Committee. The Conference will find it on p. 3. We have to deal with this as a practical question. We are dealing with the light to be carried by all vessels :—

"It appears very difficult, if at all possible, to increase the power of a ship's side-light from the present range of 2 miles to that of 3, as proposed, without at the same time increasing the size of the lantern in a manner which would make it too cumbersome and expensive for use on board ship, where the conditions are such as to make the construction of lanterns particularly difficult. The range of a light increases only in the ratio of the square root of its power, and it would be necessary to increase the latter in the ratio of 4 to 9 or 1 to 2·25 in order to get the desired range mentioned above.

"The Committee had no exact data before them on which they could safely base a more detailed investigation of this important and difficult question, and they therefore took the liberty to suggest that a number of experiments be carried out by the Lighthouse Board of the United States in order to furnish the material necessary for further discussion.

"Probably the construction of a more powerful light would necessitate the use of a wick of much larger diameter than that used at present, if not of a second wick, and this addition would again make it much more difficult to screen the lights properly. An electric light, on account of its smaller diameter, could no doubt be more easily arranged in such a manner as to meet the difficulty, but, in the opinion of the Committee, such a light cannot be made compulsory at the present day.

"The Committee, therefore, come to the conclusion that though they cannot but consider an increase of the power of the side-lights most desirable, they do not find themselves at the present moment in a position to recommend any means by the adoption of which the desired end could with certainty be obtained. This, however, may, as they hope, result from the experiments now undertaken by the Lighthouse Board of the United States."

So that we have the Report of the Committee here that it is practically most difficult, if not impossible, to provide a light of that character. In the face of that declaration on the part of the Committee, how could we propose to pass an International Rule compelling every steamer to carry a light showing 3 miles, when there is very great, doubt as to whether that can be done? I apprehend that we are in a positions to deal with this now without waiting for the Report of the Lighthouse Board. I agree that we ought to wait if the Report would assist us at all; but it may be that the Report will say that with lanterns of a peculiar construction and size the light could be seen 3 miles. But we have got to consider lights for all vessels—steam-vessels and sailing-vessels—which are to go to sea.

Captain Van Steyn (the Netherlands).—I want to point out that in section (*c*) the word "two" was changed to "three," but that has not been done in the printing. I will ask the members of the Conference to scratch those words now, in their copies, in subsection (*c*), so that it will not be necessary to waste any more paper.

Admiral Bowden-Smith (Great Britain).—Mr. President, I ask the Conference to allow me to tell what I saw the other day, when I was afloat, just before I left England to come here. I happened to be taking part in the British fleet manœuvres, and I had an opportunity to watch the lights of a great number of ships, and knowing that I was coming here I gave great attention to it. Our new ships are lighted with electric lights, and our older ships with the colza oil. As I told you before, our lights are tested by the photometric system, and are supposed, at their best position, to have a power of thirty-eight candles, and are supposed to show 3 miles. I looked at them from several points, and I was able to calculate the distance very well by knowing the distance the ships were apart. From some points where these lights showed their least intensity you could barely see them their full

distance of 2 miles. I could just see it at 2 miles, from the best position. Therefore, when these lights, in which no expense is spared and no pains spared to get the best results, will not show a greater distance than 2 miles, I think that we cannot expect to get a green light to be shown further than 2 miles from ordinary steamers.

Mr. Goodrich (United States).—Mr. President, I turned to my colleague, who is an expert, and asked him how far he had ever seen a green light, and I am authorized to state that he has seen a green light 5 miles. He told me the other day upon the same subject that he knew what the distance was because he knew the speed at which the the two vessels were closing the gap between them, and by timing the actual time required to close the gap he arrived at the distance in miles. But, of course, where distinguished experts, like the gallant Admiral from Great Britain, and our nautical Delegate, who has had great experience in Transatlantic steamers, differ, we gentlemen who do not know anything about it, in which last category I come, must be very cautious how we attempt to alter this Rule. I, therefore, move that the consideration of this amendment be postponed until the coming in of the Report of the Lighthouse Board of the United States.

Captain Van Steyn (the Netherlands).—I accept that.

Mr. Goodrich (United States).—That covers subdivisions (*b*) and (*c*).

The motion was thereupon put to the Conference, and carried.

Mr. Goodrich (United States).—Before proceeding to the discussion of another amendment, I want to call the attention of the Conference to the fact that up to this time we have been going on under a Resolution by which the sittings of the Conference were to be held from 10 to 1 o'clock. That Resolution, as I remember it, was to be enforced until the coming in of the Reports of the Committee on Systems and Devices, the Committee on Lights, and the Committee on Signals. Now, under the Rule which existed before, the Conference was to sit from 11 to 1 o'clock and from 2 to 4 o'clock, except on Wednesdays and Saturdays. Therefore, when we adjourn to-day at recess, it will be until 2 o'clock, and the session of the Conference will continue until 4 o'clock, unless they order otherwise.

The President.—We had better get the expression of the wish of the Conference as to that.

Mr. Goodrich (United States).—My own idea would be to sit this afternoon, and therefore I will make a motion in order to test the sense of the Conference.

I move that when the Conference adjourn to-day at 1 o'clock that it adjourn until 2, and then it continue its session.

Captain Donner (Germany).—I beg to state that the Committee on Lights for Small Vessels were to meet this afternoon at 2 o'clock. I have just heard that our Chairman, Mr. Gray, will not be able to come, so I suppose that we will have to postpone the meeting until a later day.

Mr. Hall (Great Britain).—As this is a very important Committee, probably the members of it will think it is desirable not to sit without their Chairman. If so, there will be nothing to stand in the way of our continuing our work this afternoon up to the ordinary time of adjournment at 4 o'clock. I presume that after that we ought to sit at the usual hours every day, from 11 to 1 and from 2 to 4, until further notice, except on Wednesdays and Saturdays. On Fridays we are to sit, under the former Resolution, from 10 to 1.

The President.—The question is on the motion that, when we adjourn to-day, the Conference adjourn to meet again this afternoon.

Mr. Goodrich (United States).—I will also call the attention of the Conference to a fact which I omitted, and that is that there is to be a session, under this Rule, on Wednesday.

Mr. Hall (Great Britain).—I understood that Wednesday was to be a *dies non* in the Conference, for the purpose not only of the Committees, but for the purpose of the Delegates being able to discuss matters among themselves.

Mr. Goodrich (United States).—The only question is that the Rule, as already adopted, is that that we should sit on every day, Wednesdays included. That is the reason I called attention to it.

Mr. Hall (Great Britain).—I was under the impression that I myself moved the Resolution not to sit on Wednesday.

Mr. Goodrich (United States).—My attention is just called to the Protocol, and I see that accepted your amendment.

The President.—The question is upon the motion that when the Conference adjourns, it be to meet this afternoon. That is now before the Conference.

The motion was put to the Conference and carried.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

The President.—Paragraph (*d*) of Article 3 is now before the Conference.

Admiral Kaznakoff (Russia).—Mr. President, before beginning to speak about lights, I would ask to say a few words about our Report. I am very sorry that the Report of the Committee on Lights has come so late, and that we began speaking about lights in the Articles without seeing the Report. We tried to answer all possible questions that could arise by the proposals before the Conference, and at the same time our opinion is, as we say in our Report, that the Conference should be very conservative. We think that all changes in Rules which have been existing for nearly forty years should be very carefully examined before they are made. They should not only be shown to be necessary, but a practical way of putting them into operation and using them should be pointed out.

In our opinion, since we see that the lawyers desire to make so little change in the Rules, even in the wording of the Rules, so much more should sailors, who understand very well what the meaning of every change is and what results will follow, be careful in regard to these changes. That is the reason why in our Committee we pointed out some desiderata, and at the same time we criticized and tried to

show the disadvantages of the proposals made, in order to be as conservative as possible. At the end of our Report you will see the summing up of the proposals made by the Committee. They are not proposals; they are suggestions for the Conference. Some of them may be put in a note to the Rules, and not be incorporated in the Rules themselves, because, as said before by the Delegate from the United States, Mr Goodrich, the Rules should be as clear as possible and as simple as possible, in order that every sailor may understand them.

The President.—The Secretary will read paragraph (*d*) to Article 3.

The Article is as follows:—

"The said green and red side-lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow within a certain distance in front of the bows, say, 100 metres."

Mr. Hall (Great Britain).—That is a proposition to strike out the words, "projecting at least 3 feet forward from the light."

Captain Van Steyn (the Netherlands).—Before giving the reasons for the change of subsection (*d*), I would add a few words to the discussion of this morning. I do not insist on the 3 miles visibility, but I should like very much that with the increasing speed of vessels every country should make experiments, in order to make all side-lights visible at a greater distance, and not to depend only on the Report of the American Lighthouse Board.

The change in subsection (*d*) has been suggested because I thought that the formula used by the English Board of Trade concerning the beams of the side-lights crossing somewhere in front of the bows was not sufficient.

The introduction of the more compact sort of electric lights might make it unnecessary to have screens of such a size as are now in use. If the honourable members of this Conference are of the opinion, however, that the existing formula ought to be maintained, of course the length of the screens, which is one of the factors of that formula, must be also maintained, and I am willing to withdraw that part of my amendment.

The President.—The proposition of the Delegate from the Netherlands will be read.

The Secretary read as follows:—

"The said green and red lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow within a certain distance in front of the bow, say, 100 metres."

Admiral Kaznakoff (Russia).—That question was before the Committee on Lights, and we investigated it very closely. We did not find it practically possible to do it. It is a very difficult thing to do, because everything depends not only on the screen, but upon the distance of the light itself, and on the centre of the light from the screen.

Captain Van Steyn (the Netherlands).—I think that this wording of the Article is not possible as it stands now. I think that we might have some other wording to the amendment. As it stands now it provides that they shall not cross the bow, and they always do that. If we could get some other word for this amendment, I think it would be much better.

The President.—I understand that there is no motion made to amend paragraph (*b*) in any way. There is a suggestion that the language might be changed, but the Chair hears nothing definite.

Mr. Goodrich (United States).—I would like the practical knowledge of sailors on this question. Of course the object of the fore-and-aft screen-board is to meet the requirements of the Rule as they now exist, namely, that the light shall not be seen across the bow. As I understand it, the rule is to place the fore-and-aft screen-board parallel, and precisely parallel, with the keel. Of course, as the Delegate from Russia has suggested, the placing of the lamp in the angle of the fore-and-aft screen-board with the athwart-ship screen-board has the effect of carrying out the flame of the lantern 3, 4, 5, or 6 inches from the screen-board, so that the light shows across the bow on each side of the ship, leaving a cone of darkness between the lights ahead of the ship. There was one suggestion made this summer by one of the Transatlantic captains that there should be placed on the forward end of the fore-and-aft screen-boards a little strip of moulding which should be as thick as the distance of the centre of the flame from the outer edge of the fore-and-aft screen-board, the intention being that while the fore-and-aft screen-boards were exactly parallel with the keel, the light would not show except in the direct line over the centre and on a line parallel with the keel. Whether that would be the practicable result or not I am not able to say.

There would be great difficulty in placing the fore-and-aft screen-boards at such an angle that the forward end of it would be precisely the same distance from the line of the keel as the flame of the lantern, and this was intended to meet that difficulty. I do not see, however, why the same difficulty would not be present when a strip of moulding is used that would be present now in the attempt to change the angle of the fore-and-aft screen-board. That is what I want the judgment of our nautical Delegates about. Practically the lights always show across the bow at some point distant, more or less, from the lights; I do not know what that distance is. Of course it is a matter that any mathematician could easily calculate, but it must be from 200, 300, or 400 feet to half-a-mile. I am quite sure that collisions have often resulted from this difficulty.

When a vessel sees an approaching vessel and sees both her side-lights, the exact course upon which the vessel is approaching cannot, by any possibility, be known to an observer on the vessel. Whether or not it is practical to so arrange the screen-boards that the light shall not show across the bow is a matter which some of our nautical friends ought to be able to tell us about. At any rate, it seems to me that if this cannot be arranged the Rule had better stand as it is without any amendment.

Mr. Hall (Great Britain).—Mr. President, this is a matter which no doubt has come to the attention of experts in such matters for a considerable time. I might preface my remarks by saying

that I apprehend it is not very often that a vessel finds herself so close to another vessel as to be within the crossing range without having seen that vessel before. This is a practical question, upon which, no doubt, sailors would be able to give us information; and in England, where we have tried to meet this difficulty, our Board of Trade has laid down the most careful Rules, dealing with ships of 20 feet beam, and dealing with vessels 40 feet beam. There are printed Regulations given by the Board in regard to the way in which the lights shall be screened and the manner in which they are to be screened, which varies with the beam of the vessel. Of course it will be clear that the range at which the lights would cross in front of the vessel will depend upon the beam of the vessel, and also in the inverse ratio. Therefore, if it be necessary to frame a Rule upon this point, which I think, as has been pointed out by the learned Delegate from the United States, is a matter of very doubtful expediency, I apprehend that the proper course would be not to take any given distance, because, if you say 100 yards, that would apply to a very small vessel which has a very narrow beam, and a vessel which has a broad beam. It would be better to take the angle of vessels from the keel.

Now we find that, if you take the angle of 5 degrees, it gives you a distance which about equals five times the beam of the vessel, so that it might be arrived at more accurately by taking the angle with the keel, which would apply to all vessels, whether they were small or large. Then you could provide that the screens might be so fitted that the rays from the light should be allowed to cross ahead of the ship at an angle of 5 degrees. This, as I say, would give five beams of the ship as the point of crossing. I think that possibly the Conference may desire to express an opinion as to whether it would be necessary to deal with this matter in Conference, or whether it is better to leave it, as it is left at present, to the Government of each particular country to see that the lights are fitted with the screens in the manner which they think best.

Mr. Goodrich (United States).—There is no practical difficulty in fixing this screen-board, as it occurs to me. I am simply drawing out these ideas for the information which may be derived upon them from the nautical men of the Conference. In the ordinary case of sailing-vessels, for instance, the screen-boards are carried in the fore-shrouds. These shrouds are not necessarily in a line parallel with the keel. The foreward shroud of the fore rigging may be further from the keel than the after-shroud, but in our practice the screen-board is fixed to the forward shroud. Of course, the question whether these lights would show across the bow will depend upon whether the forward shroud or fore-rigging is on that part of the vessel where it begins to fall in towards the bow. If it is, the lights will show across the bow.

It is suggested to me that a wedge can easily be put in to correct this difference; but the fact of it is that the men on coasting vessels do not always obey, in a strict sense, these Rules, and have their screen-boards so arranged that they are parallel with the keel. If the lights are carried at the main rigging, as I understand it, very often the vessel begins to fall in there toward the stern. One of our Delegates very wisely suggests, in regard to the consideration of the other propositions on the Programme, that when we come to the question of the construction of ships these matters may very properly be made a subject of investigation by the proper authorities.

Captain Malmberg (Sweden).—Mr. President, the Swedish Regulations for Preventing Collisions at Sea are, as far as possible, an exact translation from the English original; but there are some explanatory notes affixed. The Swedish Regulation, where it speaks about fixing up the screen, says: "The rays from the side-lights may be considered to cross each other at a proper distance ahead of the vessel, and both side-lights to be seen only from right ahead, if an imaginary line drawn from the inner edge of the wick parallel with the midship line of the vessel, is a tangent to the outer edge corner of the screen."

There is another thing mentioned by the Delegate from the United States in regard to fixing the screens in the rigging. Our Swedish Rules do not allow them to carry the screens in the rigging except in vessels of less than 80 tons, and then only when the side screens cannot be fixed in a better place; otherwise they are not allowed to carry the screens in the rigging on any vessel.

Mr. Goodrich (United States).—You have a system of inspection in Sweden?

Captain Malmberg (Sweden).—Yes, Sir.

Mr. Verney (Siam).—Perhaps I shall be asking a very ignorant question if I appeal to the learned Delegate from Great Britain to inform me what the meaning of this Rule is. I find that the Rule as now worded provides: "So as to prevent these lights from being seen across the bow." What I want to know is whether that means that they are to prevent the lights from being seen across the bow inboard the ship or ahead of the ship. If ahead of the ship, I would refer to this book which I hold in my hand, written by Mr. Thomas Gray, on p. 15, where he says: "I know that the rays of the side-lights must in every ship cross at some distance ahead of it, and I ought to find out what that distance is in my ship, so that I may know how far," &c. Then Mr. Thomas Gray gives us a diagram in which he shows how the lights cross ahead of the ship. I have just now asked the learned Delegate of the United States about this, and he gives me another interpretation entirely from that given by Mr. Thomas Gray, as was shown on this page. What I desire to know is what these words mean in the Rule as laid down. Perhaps the learned Delegate from Great Britain will be kind enough to inform me about this.

Mr. Hall (Great Britain).—I apprehend that the object of this Rule is to prevent the light from being seen across the bow; but it has been found that you cannot have lights showing ahead which will not eventually cross the bow at some distance or other. That is the reason why this amendment is proposed, to try and fix some limit. We make the limit ourselves by Rules in our country; but it is a very difficult thing to lay down a rule, and it would certainly be too long to incorporate it into an International Rule for preventing collisions at sea.

Mr. Verney (Siam).—I would simply ask whether the words mean, as they stand in the Rule now, that the lights shall not be seen across the bow on board the ship or ahead of the ship. That is what I ask.

Admiral Bourke-Smith (Great Britain).—I will say that the lights certainly are not supposed to

be seen inside the ship. I might also make an observation that we are now discussing the Rules of the Sea, and not Mr. Thomas Gray's book, which is not official.

Mr. Hall (Great Britain).—Mr. Gray's book is not official, although it is a book that we pay the greatest attention to in Great Britain.

Captain Richard (France).—In France, screens to our side-lights are placed, according to the Regulations, parallel to the keel of the vessel, and we have had no difficulty in regard to their being seen across the bows.

Captain Shackford (United States).—I would like to state that I think the majority of steamers in the Transatlantic trade are fitted now with screens, and there is a cleat placed on the screen at the forward end, the outer edge of the cleat being at the same distance from the screen as the centre of the light is from the screen. I think that this subsection (*c*) of this Rule is quite sufficient, and I propose that we leave the section as it is. I do not think there will be any difficulty if the screens are properly fitted.

The President.—Is the Conference ready for the question? The question is upon paragraph (*c*) as it now stands.

Captain Mensing (Germany).—I would like to call to the attention of the Conference that this is not quite such a little matter as it has been spoken of here, because if you will kindly refer to Article 5, it says: "The only cases to which this applies are when one of two ships is end-on or nearly end-on with the other." In other words, the cases in which by day each ship sees the masts of the other in a line, or nearly in a line, with her own. Now, it seems to me that this is a most important point in the Rules of the Road, and I happen to know of two cases where collisions have taken place, one in which a ship was lost and eighty lives with her. And this, so far as I know, came from nothing else but the fact that these lights were not properly screened. You will observe that when a ship sees another one on the starboard or port bow, say, about a point, she must get out of the way of the ship that is coming for her. But if that ship does not see the two lights of the other ship, there might be a collision. The question is whether it is possible to screen side-lights in such a manner as to avoid this, and I have no doubt it is possible to screen them so that the rays of the lamp would be screened more effectually to within one degree. It is not possible to carry it any further, for technical reasons.

I would like to call the attention of the Conference to the Reports of Commander Chadwick, on the trials of running lights and sound-signals, just to give an example as to how these things are carried on in practice. You will be kind enough to notice it as the second paragraph from the bottom of the page:—

"It will be observed that there are large discrepancies between the estimates of observers and the actual bearings in some of the double-light observations. These arose largely from the fact that lights show over greater angles than intended. I have had a trial made of the arc of illumination of the side-lights of this ship, and find that the light itself will show actually as far aft as three points on the quarter (the reflection of the lights on the sides of the light-box—the lights are electric, and very brilliant—showing considerably farther aft), and across the bow $1\frac{3}{4}$ points. I think that very few, if any, of the lights used are accurate in regard to the illuminated arc. Every portion of the flame throws a ray, and tangents drawn from its circumference to the edges of the light-box mark properly the limits of illumination."

Here we have a case of a United States' war-vessel fitted out especially with the greatest care, having electric lights, and they are much easier to screen being of a smaller diameter than any other light, yet still the lights showed across the bow $1\frac{3}{4}$ points. Now, $1\frac{3}{4}$ points is a very dangerous angle. I think, therefore, it would be a very good thing to have this regulated by an International Rule, so that we should know how the lights should be screened. I think that the suggestion of the learned Delegate from Great Britain in regard to angles would, perhaps, be the better one, for the reason that it could be adapted to the beams of all ships.

Mr. Goodrich (United States).—I do not see why the same difficulty would not arise in the case of this proposed Article that would arise in the case of parallel screens. If it is impossible to fix the lights so that they shall not show across the bows, I do not see why it is not just as good to arrange the screen-boards so that they shall show forward at a point only 300 feet or 100 feet ahead of the ship. If the difficulty can be met by fixing an angle, then certainly it can be met also by arranging the screens properly in a line parallel with the keel. If it were possible to fix the exact point at 100 metres by any arrangement of the screen-boards, that would be an improvement upon the present Rules. Does not the very language of this amendment say that, in the opinion of the Delegate who proposed it, that it cannot be done? It seems to me that the Rule is in very good shape as it is.

The collisions which occur from seeing the lights across the bow, if the lights are properly placed, are very few in number. Any careful ship-master who sees a light, or sees two lights, broad open directly ahead, is not going to take the risk of bringing his ship into danger, whatever the appearance of these two lights. If he sees that it is a steamer, he is going to obey the Rules, and if he knows that it is a sailing-vessel by the absence of the masthead-light, he will obey the Rules which apply to that situation. The expressions of opinion which have been given have thrown no light upon this subject, and I still ask the Conference if there are any nautical men present about this board who can elucidate the subject.

Captain Mensing (Germany).—I would simply like to state that I tried to give the explanation which the honourable Delegate asks for, so far as my knowledge went. I think there is no technical difficulty whatever in having these lights parallel with the keel or crossing each other if it is so desired; but there are certain practical difficulties in the way which require that they should cross the bow at some definite angle.

The President.—The question is now upon the amendment to paragraph (*d*). The Secretary wil please read it.

The amendment is as follows:—

"The said green and red side-lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow within a certain distance in front of the bows, say, 100 metres."

The question on the amendment was thereupon put to the Conference, and was lost.

The President.—The Secretary will now read paragraph (*e*).

Mr. Hall (Great Britain).—I would suggest that this paragraph be postponed like the amendment of the Delegate from Italy until we discuss Article 11.

The President.—The next amendment is extra amendment No. 15. The Secretary will please read it.

The amendment is as follows:—

"Article 3. A sea-going steam-vessel, when under way, shall carry—

"(*a*). On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 8 miles."

Captain Shackford (United States).—Mr. President, I would like to postpone the consideration of that section until the Report of the Lighthouse Board on range-lights is received. I understand that the other amendments on that subject were postponed.

The President.—The Delegate from the United States means the Report with regard to the distance at which lights should be seen.

The motion was put to the Conference, and carried.

The President.—The Secretary will read section (*b*) of this amendment.

The section is as follows:—

"(*b.*) On or abaft the after side of the highest mast abaft the foremast, and at least 15 inches away from the mast, a bright white light of the same power as the forward masthead-light, so constructed as to show a clear, uniform, and unbroken light visible all around the horizon."

Captain Shackford (United States).—Mr. President, I would like to state to the Conference that until very recently I thought—I expected to have the assistance of my learned and beloved friend here on the subject of the range-lights; but within the last day or two he has gone off after strange gods and left me stranded, so I shall do the best I can to get afloat. It seems to me that after the discussion we have just had on this question——

Mr. Goodrich (United States).—May I interrupt to say that the gentleman who is now speaking has had great success in relieving stranded vessels in the harbour of New York?

Captain Shackford (United States).—After the discussion which we have just had on this question of lights showing across the bow, I cannot help thinking that if this Conference should adjourn finally without giving us some system by which practical seamen who have to run ships in dark nights and thick weather can, at a glance, see more accurately than at present the direction in which a ship is heading, it will have done very little for the benefit of masters and officers. The number of lights to be carried is, perhaps, the most difficult question of all in connection with this subject. We have plans of infinite variety and scope presented, from the white bowsprit cap-light of thirty years ago to a plan for providing all vessels with two complete sets of side-lights, green and red, one set to be placed forward and the other aft; which, if any, of these various plans may be selected for adoption is a question for the Conference.

From my own experience, I am of the opinion that the only change required for sea-going steamers is the addition of a bright white light aft. This is now carried by steamers navigating the rivers, lakes, and harbours of the United States. That opinion seems to be held by a majority of the steam-ship masters in this country. Some kind of a range-light, in addition to the present masthead-light now carried by steamers, seems to be almost imperatively demanded. Under the present system, when a steamer's masthead and either side-light is visible, it is impossible to judge within an arc of at least nine points which direction the steamer is headed, and this difficulty is a great element of uncertainty in judging what course it is most prudent to take on first observing the lights of an approaching vessel, particularly in misty or hazy weather. I think this cannot be disputed.

With the addition of the range-light proposed, this arc of nine points is at once reduced to one point, or at most two points; and it appears to me that if this element of uncertainty can be reduced without adding any lights to the present system, as I claim can be done by this change, it would be of immense advantage to those in charge of steamers. General Dumont, the present Inspector-General of Steam-boats in the United States, states that the captains and pilots of steamers on our inland waters, to a man, have said that if either system was proposed they would prefer the white range-lights to the red and green side-lights and the white masthead-light at present carried.

The President.—The question now is upon paragraph (*c*) of extra amendment 15.

Mr. Goodrich (United States).—Mr. President, this is too important a subject for the Conference to pass upon at a moment's notice, as it seems to me. For one, I would like very much to study this

subject in connection with the Report of the Committee on Lights, which, I see, has a reference to it on pp. 2 and 3. I am free to say that, if it were possible to provide range-lights upon all classes of vessels, sailing- and steam-vessels, I should prepare that system to any other. So far as steam-vessels are concerned, there is very little practical difficulty about it, and that is shown by the reference of my colleague, Captain Shackford, to the practice of vessels on the inland waters of the State of New York, notably in the harbour of New York. There is a reference also for that in the Report of the Committee on Lights. These lights are carried under the Regulations of the Supervising Inspectors of Steam-boats, who are authorized by Act of Congress to establish a system of lights, which system is now in use in New York Harbour, and it is the best system of lights which can possibly be devised.

In my judgment, it is a better system of lights than the running side-lights with the masthead-light, because the instant a vessel deflects from her course when she is lighted with range-lights, that instant the observer upon the approaching vessel can see that she has altered her course, and can see it instantly when the course has been deflected even a half point. Of course, that can be determined upon a vessel which is fitted with the masthead-light and the running side-lights within, possibly, an angle of three, or four, or five, or six points. My friend playfully alleges that I have deserted him and gone off after strange gods. I presume he refers to the system of auxiliary side-lights. But, first and foremost, I should be in favour of the range-light if it can be adopted. The difficulty in my mind is simply that while you might put them upon steam-vessels which have no sails whatever, that is, steam-vessels which navigate the harbours and inland waters, you will find a great deal of difficulty in placing them upon sea-going vessels which have sails, or upon sailing-vessels, where it would puzzle the mariner to say where the light should be placed.

But I would a great deal rather have the range-lights than the present masthead-light and coloured running-lights, if it were at all practicable. If I could see where they could be placed on a vessel which carries sails, so that they would tell an approaching vessel the course of the vessel which carries them, I would be in favour of adopting them. I ought to say here, before I take my seat, that our Delegation is unanimously in favour of a system of range-lights; and, while I am not justified, perhaps, in the interpretation of that statement as applied to the auxiliary side-lights, yet I think it does include it within the definition of additional auxiliary side-lights, because those are in a sense range-lights. But that is the question which we can discuss hereafter. I think, Mr. President, that I shall ask to have this subject laid over for further consideration, because it has not elicited an expression from the members of the Conference, possibly because they have not studied the subject in connection with the Report of the Committee on Lights.

Mr. Hall (Great Britain).—Mr. President, I was hoping that some of the gentlemen who have given us their assistance by serving on the Committee on Lights would have been in a position to discuss this proposition. Of course it is desirable to postpone any matter upon which the Delegates are not prepared to come to a conclusion; but this proposal has been before us for a very long time, and we have had an opportunity of considering it amongst ourselves. The Report of the Committee on Lights, however, is almost conclusive on the matter, so far as those gentlemen at any rate are concerned, and I cannot help thinking that we shall certainly pay very great respect to the recommendations and actions of the Committee on the matter.

The systems of range-lights are dealt with in paragraphs beginning on p. 4 and continuing on pp. 5, 6, 7, and 8. After pointing out that they are undoubtedly of use on inland waters, the Report proceeds to deal with the difficulties in the adoption of range-lights at sea and the use of them, and it points out that the information which would be given by the side range-lights is fallacious if the vessel should not be on an even keel. At p. 7 this is dealt with, and the Report says:—

"From the foregoing it follows that the use of range-lights on the high seas does not offer the same advantages as have been found to be derived from it by vessels navigating inland waters, and this should not be lost sight of in coming to a conclusion regarding the introduction of such a system."

Then the Report deals with the difficulties found in arranging the forward range-lights according to the demands of this system. Then the Report says:—

"It has also to be kept in view that a white light accidentally shown somewhere about the stern, for instance a bright binnacle light, could be mistaken for the stern-light and thus lead to the belief that the observer is abeam of the vessel when she is actually in sector, six points ahead. It has to be remembered, too, that what a seaman especially wants to find out when he watches another ship is whether he is proceeding in such a manner as to involve risk of collision. But the knowledge of the course of the ship alone is not sufficient to determine this. It would remain necessary to watch the compass-bearing of the ship in sight, whether it be fitted with range-lights or not. The greatest advantage of the above system, in the opinion of the Committee, is that a small change in the course of a steamer approaching end-on, or nearly so, is at once and unmistakably indicated."

Then the Report deals with the proposition of Lieutenant Fletcher, and says:—

"This proposition cannot be recommended by the Committee, as the construction of such a lantern is too complicated. It would, moreover, give only a very approximate idea of the speed of the ship, as these are known to proceed at the present day at any speed up to twenty knots and more."

Now, allow me to call the attention of the Conference to the conclusion, which is found on p. 8:—

"Range-lights, if properly placed and fitted, indicate under certain circumstances a ship's course in a more accurate way than at present. This is of some advantage, and, therefore, in the opinion of the Committee, the optional introduction of some such system may be proposed for the favourable

onsideration of the Conference, adding, however, that no definite system should be decided upon for doption before this subject has been more fully studied, and before a larger number of experiments nder different circumstances have been carried out."

In view of that conclusion, how could we, in the absence of experiments, frame a Rule and introduce a system of range-lights, when it is obvious that this matter cannot be determined until the most careful experiments have been made, in order to see whether or not such a system of lights is desirable? I regret very much that some of the gentlemen who have assisted us on the Committee on Lights have not yet spoken, as I should have preferred to have awaited their opinion. But the opinion of my colleagues and myself is that such a proposal as is contained in this amendment is one that is not to be supported, on account of the great difficulty which would attend any such change.

Admiral Kaznakoff (Russia).—I will ask Captain Mensing to explain this matter.

Captain Mensing (Germany).—Mr. President, I will refer to p. 4 of the printed Report. It will be seen there that we are fully aware that range-lights were proposed a long time ago. They have been in use on board vessels navigating the inland waters of the United States of America for a considerable period, and have been made compulsory for such vessels by the Rules approved by the Secretary of the Treasury 1st March, 1883, Rule 7. Therefore, we have thought it advisable to state that the claim of originality for any of the systems submitted to the Conference can, for this reason, be entertained only in so far as the original system has been changed in one way or the other. These systems will be found enumerated in Appendix (A).

One of the oldest of them, and one which seems to have had a good deal of influence on the formation of the other systems which have been furnished during the last year, is one by our honourable colleague. That system contained certain practical difficulties, which, however, have been overcome by later modifications, and particularly by the one which, taken all in all, presents all the advantages of the other systems and has certain features which would make it quite adapted for the purpose and worthy to be discussed and commented upon, and that is the system proposed by Lieutenant Fletcher. This system consists mainly in making use of a range of three lights. Placed forward of the foremast at a distance apart not less than the beam of the ship, are two white range-lights of the same character as the present masthead-light, visible from ahead to two points abaft the beam on either side; these lights are to be in the vertical plane of the keel, with the lower one so placed forward of the upper one that an imaginary line through them makes an angle of 55° with the vertical. The third light is placed near the stern, on the taffrail, and screened so as to throw a light from right astern to two points forward of the beam. When right ahead of a steam-ship, an imaginary line to her two range-lights will appear vertical if the ship be on an even keel.

Now, it is possible, as long as a ship is on an even keel, so far as we know, for even an ordinary seaman to judge by this method whether a ship's course is inclined to his eye-line one, two, three, or four points, without making a greater mistake than half a point. From four to six points it would become more difficult to judge the course correctly, because the horizontal alteration of distances between the lights becomes much less for the same alteration in the course of the ship; but the error will not become more than one point. Further aft than ten points from right ahead, both the forward range-lights as well as the side-lights will be shut in; and by the stern-light alone it will only be possible to know that an observer is within six points on either quarter. The advantage of Lieutenant Fletcher's system of range-lights, and all others similar to this, consists, therefore, in that it affords the means by which the course of the ship can be found by simple observation and comparison alone by an observer stationed in a sector from right ahead to six points on either side with tolerable accuracy, say within one point, provided the ship observed has no perceptible heel.

It is but fair to state that if the ship should heel over at an angle of 12 degrees, the observer, when he sees these two lights, one below the other in a vertical line, is not in the direction of the ship's keel, but at an angle of 8½ degrees to it. Now, it may happen that one ship heels over one way and the other ship heels over the other way. Suppose there were two ships, one going east and one going west, and that one ship should heel over to the starboard side and the other to the port side, then the course of these ships would appear to be in a line, but would in reality be angle of about 1½ points. That is one of the disadvantages. The next disadvantage would apply more particularly, if we should make it compulsory for all steamers, large and small, to adopt this second light. For use in the United States' waters this is a very easy thing; but it is a very different thing at sea.

These Transatlantic vessels have screens fitted at the sides of the bridge to carry these lanterns when it is impossible to carry them forward. Now, for large ships there would be no difficulty in hoisting the forward range-lights so high up, and at such a distance over the bow, that the waves which come rolling over the deck when they are going ahead would go underneath the lantern; there would be a good deal of spray, but it would not be a difficult matter to overcome this. But think of the difficulty there would be on the deck of such a ship, when you would have to tell a man to go out and see whether the lantern was burning. A man from aft could not see it, and he would have to go forward. You all know that on these fast liners the deck is covered by the breaking of the waves from forward aft. Then what is an officer going to do? Very likely he will send a man to see whether the light is burning, who will say that it is, when it may have been out for an hour.

Think of the difficulties in the way when this lantern has to be taken down and lighted again. It is impossible, when a ship is going at full speed, for any living being to keep on that deck. It is impossible; and, if that be so, we ought not to allow such a thing. We cannot expect any ship to fulfil a Rule which it is impossible to carry out in a high sea.

We do not see any great advantage in knowing what course a ship is steering, except that it gives you a general idea, by looking around you, that this ship is heading this way and that ship is heading that way. But what you want to find out in reality is whether the course of the ships will lead to danger of collision. That is the chief thing to be decided. Where there is any danger of collision we have to act, and we must not act if there is no danger of collision. We have to watch every system of

range-lights just as accurately, just as much, and just as sharply as we have to watch any othe system; and if it be simply the white light of the fisherman or the red light of the sailing-vessel w have to watch them, and we have to watch every range-light just as carefully. But one grea advantage is left, and that is, that if these range-lights are seen right ahead and are heading for us, we see at once, unmistakably, what that other ship is doing—whether she has ported or starboarded. We see at a glance, and we get that in our minds without any effort. We know that the ship is going just that way, and if we want to get out of her way we do a certain thing. This is a great advantage, and it is an advantage worth thinking about.

Therefore the Committee have recommended that such a system should be permitted for the optional use of steamers. We think that the disadvantage will not be felt by large Steamer Companies. They will fit these lights, and they will, perhaps, in a few years give us information as to v hether these advantages do exist, and, if they do, another question may arise, and we may, perhaps, l able to introduce range-lights even on smaller vessels.

Captain Shackford (United States).—The learned Delegate from Germany has been discussing the present system, as it seems to me, and has not looked at Article 3 at all. He has told us it would be impossible to put the light forward in a high sea on the turtle deck; but, according to a subsection of Article 3, it is said this stern-light is to be abaft of the mast and is not to be forward at all. The only change proposed here is to take the stern-light, which is to be shown an overtaking vessel, and fit it up on one of the masts. That is the only change proposed in this Article. There is nothing said about the present system here whatever.

If this stern-light is carried up on the aftermast it will then answer as a stern-light and also as a range-light. I think he has acknowledged the advantages we would have by using a range-light of any kind. I think he has acknowledged here in this Report of the Committee on Lights where he says: "The greatest advantage of the above system in the opinion of the Committee is that a small change in the course of a steamer approaching end-on, or nearly so, is at once and unmistakably indicated." And in the preceding paragraph they say: "But the knowledge of the course of the ship alone is not sufficient to determine this. It would remain necessary to watch the compass-bearing of the ship in sight, whether she be fitted with range-lights or not."

I would like to have an explanation as to how it could be possible to watch the compass-bearings of a ship coming towards you on a thick night at the rate of 20 miles an hour. I think we ought to have some better system of determining which way the ship is heading than the one at present, when we cannot determine within ten points on first seeing one masthead-light and one side-light what the course is.

Captain Mensing (Germany).—I would like to call the attention of the honourable Delegate from the United States to Appendix (A), No. 2, where a description of the system of Lieutenant Fletcher is given. I do not think it is quite in accordance with what Captain Shackford says. The system which he is quoting seems to be the modified Fletcher system.

Captain Shackford (United States).—If the Delegate will pardon me, we are discussing extra-amendment No. 15, subsection (*b*).

Captain Mensing (Germany).—I beg your pardon. I had believed that it was the wish of the Chairman of the Committee on Lights that I should give a short account of the Report on Range-Lights which has been presented by our Committee. If I have made any mistake I beg that you will excuse me.

Mr. Goodrich (United States).—Mr. President, I think it is courtesy to the gentleman who has presented this amendment to Article 3 that it be laid over until Thursday. The Delegates from the United States ask that that course may be pursued.

The President.—At what time on Thursday would the Delegates propose to take this up?

Mr. Goodrich (United States).—I would suggest that, at the opening of the Conference on Thursday, this amendment be taken up, unless some other Article is actually under discussion at the close of Tuesday next. In that event I would not break in upon the discussion of an Article which was then under consideration.

The question upon the motion to postpone the consideration of this Article was put to the Conference, and carried.

The President.—The next two sessions will be in the same category as this, that is, postponed for the Report of the Lighthouse Board. The next order of business is the ninth amendment of Article 4.

Mr. Hall (Great Britain).—There is one more amendment of which the Delegate of the United States has given notice. He gave one notice of it on Friday. It was the last amendment for Article 3. He has made also a forual notice this morning.

Mr. Goodrich—I should prefer that this should be laid over until the amendment is printed as it was finally proposed.

Captain Malmberg (Sweden).—Before we finish the discussion of Article 3, I beg to point out to the Conference that there is, in my opinion, in the Regulations an ambiguity about the absolute distance the light on board vessels is visible, because it is not stated in statute miles or nautical miles. The difference between the nautical mile and the statute mile is, in round figures, 800 feet, which makes for 2 miles a distance of 1,600 feet in which the light has to be visible. I think this is something to be considered. It may be said in these Regulations that this distance for the visibility of light must of course be understood to be expressed in nautical miles. That is all very well, but I do not see why the present ambiguity should not be done away with. I offer this merely as a suggestion, and if it meets with the approval of the Conference I will tender an amendment to the purpose.

Mr. Goodrich (United States).—I would have no objection to making it a definition at the end of the Rules, stating that the word "mile" means a nautical mile.

Admiral Bowden-Smith (Great Britain).—I might state that these things are down on English

charts in a scale, and the Delegates will see nautical mile, and will see that ten cables go to the mile.

Mr. Hall (Great Britain).—I may also point out that the Resolution passed by the Conference was, that we should discuss the printed amendments, and not enter upon the discussion of any new amendments which were not printed. Otherwise, we should never be able to get on with an orderly discussion of these amendments.

Captain Malmberg (Sweden).—That is the reason why I did not make it in the form of an amendment, but only said that, if the Conference will allow me, I will put it in as an amendment; but if the Conference does not care about it, I will go no further in the matter.

The President.—Article 4, the ninth amendment, is now before the Conference.

Mr. Hall (Great Britain).—Mr. President, this amendment is proposed by my colleagues and myself, with this view. It has been found that when lights are as close together as 3 feet the light may blend and are not sufficiently distinct. Therefore we suggest that they shall be placed 6 feet apart, instead of 3 feet apart.

Mr. Goodrich (United States).—Mr. President, in discussing this question among the American Delegates, we thought that perhaps 6 feet was rather too great a distance between the lights. We thought that at 4 feet the lights would not blend at any distance at which they could properly be seen, and that perhaps 4 feet was a better distance than 6 feet. In some vessels that go down to the sea 6 feet difference between the two lights would cause a good deal of trouble. Under the circumstances we suggest that perhaps the Delegates from Great Britain would think that 4 feet would be quite as good a distance as 6. I would like to hear why the Delegates fixed upon the distance of 6 feet in preference to 4 or 5.

Mr. Hall (Great Britain).—It was the result of experiments which were made in order to see at what distance the two lights would not blend. We found by actual experiment that it was necessary to have them 6 feet apart, as 4 feet would not be sufficient. We found that 6 feet was the required distance to keep the lights apart so that they would not blend.

Mr. Goodrich (United States).—At what distance?

Mr. Hall (Great Britain).—4 or 5 miles. That is the result of the experiments which we have made.

Mr. Goodrich (United States).—Will the Delegate from Great Britain allow me to ask one question, for we are seeking information? What is the benefit of distinguishing a towing-vessel a distance of 4 miles away? The object of these Rules seems to be to enable one vessel to distinguish another vessel at a distance of about 2 miles. Look at the distance at which you see the green and red lights. That is 2 miles, because you cannot get any more; but you seem to think that it is enough to distinguish a vessel 2 miles away, and the International Rules provide that the coloured light shall be seen a distance of 2 miles. Now, will it be any great hardship upon vessels if they are unable to distinguish a towing-vessel, which must necessarily be going slowly, at a distance of more than 2 miles? Is not that an ample distance to distinguish it? And at 2 miles will the two lights 4 feet apart blend into one another?

Mr. Hall (Great Britain).—The object was not to be able to tell a steamer at a distance of 2 miles. The Article says expressly that the masthead-light of a steam-vessel shall be seen at least 5 miles. The object of the amendment is so that you would be able to make out a steamer approaching you at the earliest possible moment. We know that the side-lights are visible only 2 miles, but you have the masthead-light, which is visible 5 miles. We have thought that when steamers approach one another as fast as they do now, it was desirable to have all the information which it is possible to get. It was merely to make it certain whether a steam-vessel was a towing-vessel or not?

Admiral Bowden-Smith (Great Britain).—We all want to do what is best, I know, and I therefore ask to be allowed to state something I saw the other day. We were trying some experiments with red and white lights from one ship to another when we were in columns. The columns were 1 mile apart, and I was very much astonished to see how the red and white lights blended—not exactly blended, but how very close they were together. I said to the Admiral, "Those lights are not far enough apart." He said, "How far apart do you think they are?" I said, "I suppose they are 3 feet apart." He said, "No; they are 6 feet apart." I was very much astonished, at only a mile's distance, to see how very close these lights looked together. I think that it will be found that 6 feet is a very good distance, but of course it is a matter to be considered by the Conference.

Mr. Goodrich (United States).—Will the Admiral allow me to ask him a question for information? Is the tendency of the red and white lights to blend together greater than the tendency of two white lights to blend together?

Admiral Bowden-Smith (Great Britain).—I do not know that it is.

The President.—Is the Conference ready for the question? The question now is upon the ninth amendment to Article 4.

The question was put to the Conference, and carried.

Mr. Goodrich (United States).—May I suggest to the Delegate from Great Britain to make a note that the word in the first line, "ship," should be changed to "vessel" in both places?

Mr. Hall (Great Britain).—I understood that the learned Delegate from the United States was going to move formal amendments at any stage of the proceedings to make the change of this word wherever it was necessary. At the sitting of the Collocation or Verbiage Committee that can be accomplished by possibly one amendment, unless, as was pointed out by the learned Delegate from Siam, we come across some Rule in which it is undesirable to use the word "vessel."

The President.—The tenth amendment to Article 4 is now the subject of consideration by the Conference.

The amendment is as follows:—

"A steam-ship when towing another ship shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her

from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam-ships are required to carry. A small bright light abaft the funnel or aftermast shall be carried for the vessel being towed to steer by."

Captain Shackford (United States).—Mr. President, I have nothing more to say on the question of this additional light, further than what I have already said when the question was brought up before. Practically, all tow-boats carry the light abaft the funnel. I think the sailors in the Conference will agree with me about that. The only reason for my offering this amendment was to give them the power to carry this light. It would be impossible to steer a sailing-vessel or any vessel behind 150 fathoms of hawser without having some small light on a dark night to steer by. They do carry now, and I want to make it legal.

Mr. Hall (Great Britian).—I would only suggest to the Delegate from the United States that it should be permissory instead of mandatory, and that he should use the word "may" instead of "shall." I would also suggest that it ought to be a light not to show ahead.

Captain Shackford (United States).—I would be very glad to accept the amendment to the effect that the light shall be so arranged that it shall not be shown forward.

Mr. Goodrich (United States).—Would there not be objections to making it optional?

Mr. Hall (Great Britain).—There may be many occasions when a vessel is towing when the vessel behind may not want the light. It may not be necessary. To make it absolutely a command that the tug shall have a light up for the vessel following her to steer by, when the vessel itself does not want the light, seems to be unnecessary, and that she ought not to be compelled to put it up. When it is required upon a dark night for her to steer by it can be put up.

Captain Shackford (United States).—There is no objection at all to making the Rule permissive instead of mandatory, and changing the wording in regard to the light.

Mr. Hall (Great Britain).—You will substitute the word "may" for "shall"?

Captain Shackford (United States).—Yes, Sir. I will change it so as to read:—

"A small bright light abaft the funnel or aftermast may be carried for the vessel being towed to steer by, such light to be visible only from right astern, four points on each quarter."

Captain Richard (France).—Mr. President, allow me to express my views upon the amendment which has been discussed.

If the lights carried at the stern as proposed by Commander Settembrini are adopted, we have no need of any other lights for the towing vessel. If, on the other hand, these lights are not adopted, I do not see any necessity for placing a light on the stern of the towing vessel. I should add that it would be better to put lights on the vessel which is being towed.

Captain Mensing (Germany).—I would simply like to state that, in the case of a sailing-ship being about 20 feet out of the water, being towed by a tug about 4 feet above the water, the man at the wheel of the sailing-ship would be unable to see the stern-light of the tug, if that light was placed on the taffrail.

Mr. Goodrich (United States).—A man on the forecastle could very easily see the light and could easily pass the word to the man at the wheel.

Captain Malmberg (Sweden).—Mr. President. I only wish to state that I, for my part, do not see any reason why this amendment should be put into this Article at all; I do not think it is necessary. It would be a very curious thing if you could not see the smoke and burning particles coming out of the funnel of a towing steam-boat.

The President.—The Secretary will please read the amendment as proposed.

The amendment is as follows:—

"A small bright light abaft the funnel or aftermast may be carried for the vessel being towed steer by, such light to be visible only from right astern to four points on each quarter.

The President.—Is the Conference ready for the question upon this amendment?

Captain Malmberg (Sweden).—I call for a division.

And a vote was taken as follows:—

Austria-Hungary	..	..	Yea.
Brazil ..	..	..	..
Belgium	..	..	.. Yea.
China ..	..	..	.. Yea.
Chile ..	..	..	.. Yea.
Costa Rica	..	..	.. Yea.
Denmark	..	..	.. Yea.
France	..	..	.. Nay.
Germany	..	..	.. Yea.
Great Britain ..	..	..	Yea.
Guatemala	..	..	..
Hawaii	..	..	..
Honduras	..	..	..
Italy ..	..	..	.. Yea.
Japan ..	..	..	.. Yea.
Mexico	..	..	.. Yea.
Norway	..	..	.. Nay.
Nicaragua	..	..	..
Russia ..	..	..	.. Yea.
Spain ..	..	..	.. Yea.
Sweden	..	..	.. Nay.
Siam ..	..	..	.. Yea.
The Netherlands	..	..	Nay.
Uruguay	..	..	..
Venezuela	..	..	..
United States	..	..	Yea.

The President.—The amendment is carried by a vote of 15 yeas to 4 nays.

Before adjourning, the Chair wishes to announce a Committee. The Secretary will please re the Resolution.

Said Resolution is as follows :—

"*Resolved*,—That a Committee of seven, to be known as the Committee of Life-Saving Systems and Devices, shall be appointed by the President; that it shall be the duty of the Committee to examine any system or device connected with the saving of life and property from shipwreck presented on or before the 12th instant, of which a written description, illustrated by plans when necessary, shall be furnished, and that only such matters as are favourably reported by the Committee shall be brought before the Conference; that the Committee shall submit a Report when General Division V of the Programme shall be reached for considerarion."

The President.—The Chair desires to announce the appointment of the following members :—

Mr. Verbrugghe	Belgium.
Captain Bisbee	China.
Rear-Admiral Viel	Chile.
Captain Richard	France.
Lieutenant Seoane	Spain.
Captain Van Steyn	The Netherlands.
Mr. Kimball	United States.

The President.—The hour of adjournment is at hand; the Conference will adjourn until to-morrow morning at 11 o'clock.

Washington, Tuesday, November 5, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The Chair desires to state that Mr. Carter, the Hawaiian Minister, the Delegate to the Conference from Hawaii, appeared at the Conference yesterday and took his seat.

Mr. Goodrich (United States).—Mr. President, I presented yesterday a Resolution which related to the order of business subsequent to the consideration of the Ist Division of the Programme. I call that Resolution up for action.

The Resolution is as follows :—

"*Resolved*,—That the Conference shall proceed to the discussion of General Division III of the Programme next after the consideration of General Division I shall have been completed."

Mr. Goodrich (United States).—That is not the Resolution I referred to. Please read the Resolution proposed by the Delegate from France.

The Resolution is as follows :—

"*Resolved*,—That the Conference, after due consideration, pursuant to Divisions of the Programme, hereby determine upon a list of questions which they propose to consider, and that according to the number, the nature, and the importance of the questions finally decided to be retained, Special Committees shall be appointed, in order that each of them may, after due consideration and examination, prepare a Report to be submitted to the action of the Conference."

The President.—Shall this Resolution go over for future consideration, or is the Conference ready to proceed with the consideration of it now?

Mr. Goodrich (United States).—Mr. President, after consulation with the Delegate from France, I offer for the first part of his Resolution the following——

The President.—As a substitute for the first paragraph?

Mr. Goodrich (United States).—For the first paragraph.

The President.—The Delegate from the United States proposes a substitute, with the consent of the Delegate from France, for the first paragraph of his Resolution. It will be read by the Secretary.

The substitute is as follows :—

"That the Conference, after the discussion and consideration of Divisions Nos. I and III of the Programme, will proceed to consider all other Divisions, and that Special Committees shall be appointed in order that each of them may, after due consideration and examination, prepare a Report to be submitted to the action of the Conference."

Mr. Goodrich (United States).—Mr. President, the design of the Resolution is that the Conference may know approximately the duration of its session. I suppose it will be somewhat difficult at this moment to tell what will be the duration of the sessions of the Conference while discussing Divisions Nos. I and III, if the Conference should decide to discuss no others. After the discussion of Divisions Nos. I and III the members may form some idea of the time they will be required to remain in this city. I have made the Resolution a general one, that the discussion of Divisions Nos. I and III the Conference shall proceed to the discussion of all the subjects of the Programme. Of course it is in order for any member to move an amendment to the Resolution by striking out any one or more of the subjects embraced in the Programme. But the Resolution is placed before the Conference in the shape in which it is written for the sake of calling out a discussion upon the subject. Some of the subjects, indeed all of them, are very important. I think that they are all important as to the navigation of the sea, and the American Delegates propose to discuss them all. We would hardly be able to do other-

wise, when under the instructions of the Department of State we formulated the Programme which has been sent to all the Powers. I present this Resolution now in its broad sense, in order that the judgment of the Conference may be arrived at with regard to the future business before it.

The President.—Is the Conference ready for the question on the Resolution?

Mr. Goodrich (United States).—Mr. President, I would like to have the yeas and nays called upon that Resolution.

The yeas and nays were thereupon called.

Austria-Hungary	Yea.	Italy	Yea.
Brazil	Yea.	Japan	Yea.
Belgium	Yea.	Mexico	Yea.
China	Yea.	Norway	Yea.
Chile	Yea.	Nicaragua	
Costa Rica	Yea.	Russia	Yea.
Denmark	Yea.	Spain	Yea.
France	Yea.	Sweden	Yea.
Germany	Yea.	Siam	Yea.
Great Britain	Did not vote.	The Netherlands	Yea.
Guatemala		Uruguay	
Hawaii		Venezuela	
Honduras		United States	Yea.

The President.—The Resolution is unanimously adopted, with the exception that the Delegates from Great Britain do not vote.

Is the Conference ready to proceed with the order of business for the day?

Captain Shackford (United States).—Mr. President, I introduced yesterday an amendment, which was voted upon and passed, for an additional light for steamers towing vessels. The amendment read after it was passed:—

"A small bright light abaft the funnel or aftermast may be carried for a vessel being towed to steer by, such light to be visible from right astern to four points abaft the beam."

After a conference with the Delegates I would like to move to reconsider and change the reading of that amendment so that it will read, instead of "to be visible from right astern to four points abaft the beam," "not to be visible before the beam."

The President.—The Secretary will please read the amendment as amended.

The proposition is as follows:—

"A small bright light abaft the funnel or aftermast may be carried for the vessel being towed to steer by, such light not to be visible before the beam."

Mr. Hall (Great Britain).—Mr. President, I think that is a very desirable change. It will make the light much more simple for a tug to carry. If we should adopt it in the shape in which it was passed last night it will be necessary for a tug to have a special light constructed to show only from right astern to four points abaft the beam. By this proposal an ordinary light can be placed against the mast, and it will be perfectly in accord with the requirements of the Rule. I hope that the Conference will accept the proposal of the honourable Delegate from the United States.

The President.—Is the Conference ready for the question upon the proposition to change the wording of the amendment?

The amendment was presented to the Conference, and carried.

The President.—The question now is upon the amendment by the Delegate of the United States to the amendment proposed by himself.

The amendment was put to the Conference, and carried.

The President.—The next amendment in order will be the twenty-third amendment, Article 4. The Secretary will please read it.

The amendment is as follows:—

"A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white lights which other steam-ships are required to carry.

"A tug wishing to offer her services to a vessel shall exhibit to such vessel, in addition to the ordinary lights, a white and red flare-up alternately."

Mr. Verbrugghe (Belgium).—Mr. President, as I have previously had the honour to explain, it seems to me absolutely indispensable that tug-boats looking for vessels at sea should be able to communicate at night with the vessels to which they desire to offer their services.

It will be observed that all the Rules are made to enable vessels to avoid each other when they meet. There should, therefore, be some means for a vessel to notify another that she desires to approach her for the purpose of communication.

While proposing this amendment, I do not insist strenuously upon any signal in particular, but I would, however, suggest a red and white flare-up. I notice that I am in harmony with a similar proposition made by my honourable colleague from Germany, Dr. Sieveking, who has also favoured the same signal for a pilot-boat which desires to communicate with a vessel.

It would be well if, under those conditions, the signal in question were adopted for all vessels, without distinction, which desire to communicate with others.

Objection is made that the Code provides analogous signals; but all vessels have not the Code Signals, and the Code of Night-Signals is not yet generally adopted.

The white and red flare-up is within the reach of everybody. It is a simple notice to be given, and it is therefore well adapted for a special signal.

The proposition which I have made might, therefore, tend to a more general use. If the honourable Dr. Sieveking has no objections we might adopt that signal as a uniform signal to be given at sea by a pilot-boat, a tug-boat, or any kind of vessel which desires to communicate. I submit this idea to the consideration of the Conference.

Mr. President, at the request of Mr. Goodrich I will try to explain in English what I have just spoken about. If I have not spoken in English I believe that everybody will consider that it is for the reason that it is very difficult to carry the idea of an amendment in a language which is not your own. Therefore, I began in French; but, as I am solicited by Mr. Goodrich, I will explain it in English, and if I make any mistakes in my language you may correct me.

The proposition which I made is to have a special signal for a tug-boat to offer her services. It occurs very often nowadays that a tug wishes to go around a sailing-vessel or a steam-vessel during the night, and she has no particular signal. Now, it is a great inconvenience for other vessels which do not know what this tug is about. In the day-time it is an easy thing to recognize her, but during the night there should be some signal. I was not very particular in picking the signal; I proposed this one for want of a better, a white and red flare-up light. It seems to me, however, that this signal is some good, because it agrees with certain propositions made by the honourable Delegate from Germany for the same purpose, namely, for pilot-boats wishing to communicate. As this is the case, I should propose that this signal should be one for all vessels which wish to communicate with each other. That is the proposition which I desire to submit to the Conference.

Mr. Goodrich (United States).—I suggest to the honourable Delegate from Belgium that perhaps it would be well to await the coming in of the Report of the Committee on Rules No. 7, 8, and 10, which is considering the subjects of lights on small vessels, before we proceed to the consideration of this amendment.

Mr. Verbrugghe (Belgium).—I have no objection.

Mr. Goodrich (United States).—May I ask when they are likely to hand in their Report?

Mr. Verbrugghe (Belgium).—Mr. Thomas Gray is ill, and I must state that it is on account of his work in the Committee. We have been at work in the Conference and in the Committee. We were all of us very desirous to finish the work as soon as we could and make the Report; but all of us—and I am one of them—have been unwell on account of the work, and we were obliged to take a recess yesterday. We could not sit in our Committee on account of the illness of Mr. Thomas Gray. I saw Mr. Gray last night, and he was getting a little better. He will endeavour to sit in the Committee to-morrow and finish up if possible.

Mr. Hall (Great Britain).—Mr. President, I quite agree with what has fallen from the learned Delegate from the United States that it may be necessary to see the Report as to Articles 7, 9, and 10 before dealing with the present question. But of course there is a broad principle which we shall have to determine here irrespective of the actual signal that is to be carried, and it will be necessary for us, at some time, to determine that principle. So far as we are concerned we are perfectly willing that the consideration of it should be postponed until after the Report of the Committee on Lights for small boats and pilot-boats. But it will be necessary for us to discuss the broad principle whether or not it is desirable to give tugs any such special light or lights for giving warning.

I am sure that the Delegate from Belgium need not have made any excuse on the score of his not expressing himself very clearly in English, for I have no doubt that all of us have thoroughly understood the point he wishes to make. I would only throw out for the consideration of the Delegates, when we come to consider this subject, whether or not this might not lead to confusion. We certainly find in our waters that there frequently is a superabundance of tugs. The vessels will find themselves surrounded by signal-lights such as are proposed here. Therefore it may be thought not necessary to allow any such signal.

It is perfectly true, as has been pointed out by the Delegate from Belgium, that tugs are frequently a great nuisance to vessels by coming up to them to offer their services; but the effect of giving them a special signal I do not think will make them any less of an annoyance when they want to offer their services. It is open to the objection that we are increasing the number of signals, or, if we use the coloured lights, we are increasing the number of coloured lights to be used. All of these matters, I think, are worthy the consideration of the Conference before we agree to the principle of giving a tug-boat a special signal or signals.

Mr. Verbrugghe (Belgium).—Mr. President, I will give my thanks to the honourable Delegate from Great Britain for the compliment which he has paid me, and which I shall try to deserve. The observation which he makes in regard to tugs being too plentiful in our waters is very correct. In proposing a particular signal I am not so very anxious about the tugs. The lights which we are discussing now are the lights which are to be carried by small vessels as position lights, which they have always to carry between sunset and sunrise. Let me change my proposition. Would it not be a good thing for any ship, whatever she is, or whatever may be the signal, to be able to signify to other vessels that she wishes to enter into communication with them?

I repeat that I am not particular about the signal, but I should like, and very likely this matter may be dealt with by some other Delegates, that there should be some means given during the night by vessels to indicate that they want to communicate with each other.

Admiral Bowden-Smith (Great Britain).—May I call to the attention of the Delegate from Belgium that in the International Code Book he will find a signal "I wish to communicate"? That signal,

by the Committee in London, is put into the book in a new form, so that it may be made at night, if necessary. I only wish to point out to him that it would be a matter of danger if you make the signal apply to pilot-boats and tug-boats. That signal, I take it, means that you are in danger or have got an accident on board and want assistance, or something of that sort. And if every pilot-boat says, "I want to communicate with you," how are you to know that she does not want to communicate with you by reason of some accident, or merely because she wants to put a pilot on board?

Mr. Verbrugghe (Belgium).—Is that new?

Admiral Bowden-Smith (Great Britain).—No, Sir; it is an old signal.

Mr. Verbrugghe (Belgium).—But if another signal at night, on board of any vessel, should be substituted for that with the same meaning, then my proposal would be retained.

The President.—The question is upon the proposition of the Delegate from the United States, to postpone this subject until the Report of the Committee on Lights for Small Vessels is submitted.

Mr. Goodrich (United States).—I made that proposition before I had heard the remarks of the Delegate from Great Britain, and only in courtesy to the Delegate from Belgium, who had offered the Resolution. But if the Conference see fit to adopt this light at all, or to signify their approval of the proposition, we may vote on it now. If not, then this had better be postponed until the Committee on Lights for Small Vessels have reported. I will withdraw the motion if the Delegate from Belgium desires to have an expression of opinion on this subject now. I only made the motion out of courtesy to the Delegate from Belgium.

Mr. Verbrugghe (Belgium).—I would like to have an expression of the opinion of the Conference about it.

Mr. Goodrich (United States).—Now?

Mr. Verbrugghe (Belgium).—Now, or at any other time the Conference may desire.

Mr. Goodrich (United States).—I withdraw my motion.

The President.—The amendment is now before the Conference.

Mr. Verbrugghe (Belgium).—Would it not be better to postpone it? I should then take up the motion of the Delegate of the United States that this amendment should be considered after the Report of the Committee on Lights for Small Vessels has been presented.

Mr. Goodrich (United States).—I think it is due in courtesy to the Delegate who proposes the amendment to postpone it for a reasonable time, if he desires it. I think that is a courtesy which should be extended. I second the motion to postpone the consideration of this amendment.

Mr. Hall (Great Britain).—I quite agree that it is courtesy always to postpone the discussion of any question at the request of a Delegate if he gives notice that he is not in a position to argue the question, on principle, at once. But I will point out that deferring this until the Report of the Committee on Lights for Small Vessels is received cannot possibly assist us on the question of principle as to whether or not we are to give tug-boats a signal, especially if this proposal is a mandatory one, so that we shall compel tug-boats to give the signal. Of course, if the proposer of the amendment wishes to postpone, I would certainly support that request. It will be clearly understood that by deferring it until after the Report of the Committee dealing with Articles 7, 9, and 10 we do not imply that we agree with the principle.

Mr. Verbrugghe (Belgium).—I would thank the Conference to postpone it until another day for consideration.

The President.—The question is upon the postponement of this amendment.

The motion was put, and carried.

The President.—The next amendment will be the thirty-third amendment, Article 4.

The amendment is as follows:—

"Article 4. A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from another steam-ship. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light which other steam-ships are required to carry.

"(*a.*) A sailing-ship, when towing another ship, shall, in addition to her side-lights, carry a white light above each of the said lights at a distance of 4 feet. Each white light shall be of the same construction and character as the coloured side-lights."

Captain Settembrini (Italy).—Mr. President, I wish to say a word, if you will allow me, with regard to the additional light proposed in Article 4, subdivision (*a*). My idea in proposing that sailing-ships with a tow should have a white light at a small distance from the side coloured lights, was only for the purpose of calling the attention of the Conference to the subject. If I am not mistaken, the Delegate from Germany has already pointed out the necessity of considering the sailing-ship in the above condition. I am far from wishing that the present Regulation should be changed or much enlarged; and my suggestions are derived only from the fact that a sailing-ship may be worthy of the same consideration given in a similar case to a steam-ship towing another vessel.

Captain Malmberg (Sweden).—Mr. President, I put in an extra amendment, numbered 26, under Article 6, which is to the same purpose and intent as this one, but which is worded in a different manner, and is also entered under a different Article. The reason why I made this amendment under Article 6 is that there is no rule about lights for sailing-ships laid down before we come to Article 6. As the question is brought up by the amendment of the Delegate from Italy, I take occasion to bring up my amendment No. 26 for the consideration of the Conference, and ask that it may be discussed at the same time.

The amendment which I have the honour of proposing is that a sailing-vessel towing another vessel at sea shall carry the same kind of a light as prescribed in Article 5, subsection (*a*), of these

Regulations. The reason why I took the signal provided for in Article 5 (*a*) is that I consider the the sailing-vessel towing another vessel as not being quite under command, because a sailing-vessel towing is not at all free in her manœuvres. She cannot comply with the Regulations laid down. For that reason, instead of giving to sailing-vessels towing an altogether new signal, I thought that it would be best to let a sailing-vessel towing have the same signal as provided in Article 5, subsection (*a*).

Now, you may say, what is the good of having a special signal at sea?—as my amendment contains the words "at sea." The reason why I put in the words "at sea" is that I do not think there has ever been any reason for altering the present system of signals for steam-vessels towing, and I do not like to interfere with these signals. A sailing-vessel towing another vessel is an occurrence which certainly very seldom happens, but I have thought it proper to provide that she shall carry the same lights as mentioned in Article 5, subsection (*a*). I think that if this amendment of the Delegate from Italy is taken into consideration under Article 4, containing the rules for steam-ships towing, it should have another heading, "Lights for towing-vessels." I propose that my amendment may be taken in consideration at the same time, which will save some time in the discussion of the question.

The President.—The question is upon the thirty-third amendment. Does the Chair understand that there is a distinct proposition on the part of the Delegate from Sweden?

Captain Malmberg (Sweden).—Mr. President, my proposition is that these two amendments, which are to the same purpose, should be considered at the same time.

The President.—If there is no objection to that we can take up the thirty-third amendment, and after that, extra amendment No. 26.

Captain Malmberg (Sweden).—They are both to the same purpose.

Mr. Goodrich (United States).—There are a good many amendments on that subject.

The President.—Then they cannot be taken up together. The question is upon the thirty-third amendment to Article 4. The Secretary will please read it again.

The amendment is as follows:—

"A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white lights which other steam-ships are required to carry.

"(*a.*) A sailing-ship, when towing another ship, shall, in addition to her side-lights, carry a white light above each of the said lights at a distance of 4 feet. Each white light shall be of the same construction and character as the coloured side-lights."

Mr. Hall (Great Britain).—Mr. President, it has been pointed out by the learned Delegate from the United States that there are several amendments to Article 6, and this, so far as I can see, is really an amendment which would come in under Article 6, in regard to sailing-vessels. So far as I can see the matter stands in this position. The gallant Delegate from Italy has pointed out that he placed this amendment on paper more for the purpose of raising the discussion as to what light should be carried, if any, by one sailing-vessel towing another. I am sure that our thanks are due to him for calling the matter to our attention. I understand that he does not propose to press this proposal in this amendment, but to throw the matter open to discussion.

Therefore, I think it is not only in order but desirable that, as we are on the point of what light a sailing-vessel shall carry, we shall discuss the amendment No. 26 of the gallant Delegate from Sweden. We should be very glad to support this proposal at once, if it were thought necessary. But may I point out this to the Delegate? A sailing-vessel, when she is towing another, if she is not under command, which frequently may be the case, is at liberty to hoist the not-under-command light. It requires no rule to allow her to do so. On the other hand, a sailing-vessel towing is very often well under command and can go along at quite a speed, especially when she is being assisted by the vessel which she is towing. In that case it would clearly be wrong for her to put up the not-under-command light.

Therefore I would point out to the gallant Delegate from Sweden that we shall achieve the object of his amendment if we point out the fact that a sailing-vessel, when she is towing, is at liberty to hoist the not-under-command light. This may not be within the knowledge of sailors, but the very fact that it has been brought to the attention of the Conference here will be of assistance in calling it to their attention. I hope that I have made myself clear—that a sailing-vessel can, under the present Rule, and ought to, hoist the not-under-command light if she is not under command; whereas, on the other hand, if she is under command, although she is a towing vessel, it would be clearly wrong for her to hoist the not-under-command lights, as provided for by this amendment.

Captain Malmberg (Sweden).—I know very well that a sailing-vessel towing another vessel may be under command when the circumstances are such that the vessel under tow can assist. That is generally the case with a sailing-ship, if she be not dismasted. But I know of two cases where a sailing-vessel has had a steamer under tow; and when towing a steamer I am quite certain that no sailing-vessel can be said to be under command. She may be able to steer her course, but it is quite impossible for her to manœuvre according to the Rules, especially during the night. It has been said by the learned Delegate from Great Britain that such a vessel has it in her power to hoist the signal mentioned in Article 5, subsection (*a*), with reference to a vessel not under command; but on the other hand I am quite certain that very few of these captains will take on themselves the responsibility of hoisting that signal, and that is the reason why I should like to have it mentioned that they have a right to hoist that signal.

Mr. Verney (Siam).—May I point out that in Article 5, subsection (*a*), to which allusion has been made, it appears from the wording of it that no ship would have the right to carry a not-under-command signal unless an accident had happened, because the wording of the Rule is: "A ship,

whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry "——

Mr. Goodrich (United States).—Mr. President, I am a little surprised, for the moment, at the interpretation which the honourable Delegate from Great Britain has put on the words "not under command" in his application of them to a sailing-vessel towing another vessel. I am not sure that he is not entirely correct, but I confess that I am a good deal surprised by such an interpretation.

Mr. Hall (Great Britain).—What I mean to say, if I make myself clear, is that a vessel may be towing another vessel—for instance, a sailing-vessel may be attempting to tow a heavy steamer, she is doing her best to tow that vessel—or take the case of a steamer which has broken down, and a small sailing-vessel has taken hold of her and is doing the best she can with her—she is practically not under command, although she is towing the vessel to a certain extent. They cannot be said to be practically under command.

Mr. Goodrich (United States).—Referring to the suggestion of the Delegate from Siam, I think his criticism of the Rule and his application of it to the remarks of the Delegate from Great Britain are apposite, because Article 5 evidently refers to a vessel which, from any accident to herself, is not under command. It says:—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry in the same position as the white light which steam-ships are required to carry."

It seems to me that a fair and just application of that would be to construe it to mean from any accident to herself, although the language is general. I have very great doubt—while I entertain the highest regard for the opinion of my friend from Great Britain upon any construction of the Statute—I have very great doubt whether a vessel not under command would be held to apply to a sailing-vessel towing another vessel, because she is absolutely under command or else she would not be assisting another vessel. A vessel which by any accident to herself is not under command would not attempt the towing of another vessel. She must be absolutely in command of all her resources to engage in the delicate business of towing another vessel, and especially would this be so in the case cited by the honourable Delegate of a small vessel towing a large disabled steam-ship. It would be futile, wicked indeed, for her to attempt to tow a vessel under those circumstances unless she were under absolute command.

I desire to add a suggestion made by my colleague in regard to this matter. Take a 2,000-ton steam-ship towing a disabled fishing-vessel, or a 2,000-ton sailing-ship towing a vessel. Manifestly that vessel would be under absolute command. The idea which these lights are intended to convey, as proposed by the Delegate from Sweden, is that astern of the towing ship there is another vessel, just as in open waters tugs towing vessels hoist the two vertical lights on the after flag-staff. I do not believe that it is the intention of the framer of this amendment to say that the vessel which is towing has not absolutely the command of her resources, but that she is something dangerous about which approaching vessels must have notice in order that they may avoid a collision.

Mr. Hall (Great Britain).—Mr. President, the exhibition of these lights would not have that effect at all. It would *primâ facie* tell people that she was a vessel not under command. That is what these lights would indicate. If a sailing-vessel when she is towing another vessel is to put up the not-under-command lights, so far from giving any information to people that she was towing, the *primâ facie* presumption from these lights would be that she was a vessel not under command.

Captain Malmberg (Sweden).—I do not desire to say that the lights or the signal which I have proposed are the best; but not liking to introduce any new signal if I could possibly help it, I thought it desirable that she should be allowed to carry the light as in Article 5, subsection (*a*). I should be very happy to accept any other signal, as long as there is a possibility for such a ship to make a signal showing that she has another vessel in tow. If it is exchanged for any other kind of a signal it is all the same to me. At the same time I shall take the liberty to propose that the amendment made by the gallant Delegate from Italy should be considered under the Article relating to sailing-vessels, and should come up for discussion when we come up to Article 6, because this Article 4 relates to the lights to be carried by steamers towing.

Captain Richard (France).—Mr. President, I have but one observation to make to our esteemed colleague from Sweden, who proposes to give to sailing-vessels which are being towed the signal for vessels which are not under command.

I think that the principal objection is the following. When by chance two sailing-vessels, each towing a vessel, should happen to meet, what manœuvres should they make, both displaying the signal that they are not under command? That is the only objection which I have to make to the amendment.

Captain Malmberg (Sweden).—I think it would be a very strange thing if two sailing-vessels towing should happen to meet.

Captain Richard (France).—I would also state that, when the question was recently discussed as to whether vessels towing other vessels should be considered as not under command, this objection is one of those which was brought up and which caused the plan to fall through.

The President.—The question is upon the thirty-third amendment to Article 4. The amendment will be read again before the vote is taken.

The amendment is as follows:—

"(*a.*) A sailing-ship, when towing another ship, shall, in addition to the side-lights, carry a white light above each of the said lights at a distance of 4 feet. Each white light shall be of the same construction and character as the coloured side-lights."

Captain Malmberg (Sweden).—Mr. President, I beg to move that this amendment which was just now made by the honourable Delegate from Italy, under Article 4, be postponed until we come to the consideration of Article 6, which relates to the lights to be carried by sailing-vessels.

Mr. Goodrich (United States).—Will the honourable Delegate from Sweden allow me to suggest to him that, if we do that, when we come to discus Article 6 we shall go over the same discussion again, and, perhaps, while the matter is fresh in our minds, the arguments made may have some influence upon us, but by that time we will have lost the influence of the suggestions made to-day?

Captain Malmberg (Sweden).—I have no objection to the consideration of it, if my amendment about the signals for sailing-vessels shall come up for consideration at the same time, because the amendment is to the same purpose. I do not believe that there are any more amendments about signals to be made by sailing-vessels towing, except these two.

Captain Sampson (United States).—I understand that the vote is to be upon each amendment separately.

Captain Malmberg (Sweden).—I only desire that they shall be up for discussion at the same time, because if you accept this other Article 4, then the amendment made by me is quenched altogether. It cannot come up for consideration any more.

Mr. Hall (Great Britain).—I understand that the amendment which is now before the Conference is not really pressed. I think it has been introduced merely for the purpose of bringing on a discussion. I apprehend that we can take a formal vote on No. 33, and then we can proceed to vote on extra amendment No. 26.

The President.—The question is upon the proposition of the Delegate from Sweden, to postpone the consideration of this amendment until we come to Article 6.

Mr. Hall (Great Britain).—Before the vote is taken upon that I wish to echo what has fallen from the gallant Delegate from the United States. I think the Delegate from Sweden will see that we have been able to discuss this matter very thoroughly. There is no other amendment under Article 6 with regard to sailing-vessels, and there is therefore no object in postponing it. I cannot see why we cannot deal with the amendment now, after the full and ample discussion we have had here to-day. Of course, if he thinks that he can have any further remarks to make or any further arguments to adduce, and feels that he is not prepared to press the matter now, be it so; but I will point out that we took this up out of order at his suggestion, and have considered it in connection with amendment No. 33.

Captain Malmberg (Sweden).—I will withdraw my motion for a postponement.

The President.—The question then is upon amendment No. 33, Article 4. The Secretary will please read it.

The amendment is as follows:—

"A steam-ship, when towing another ship, shall, in addition to the side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same character and construction, and shall be carried in the same position, as the white light which other steam-ships are required to carry.

"(*a.*) A sailing-ship, when towing another ship, shall, in addition to her side-lights, carry a white light above each of the said lights at a distance of 4 feet. Each white light shall be of the same construction and character as the coloured side-light."

Mr. Goodrich (United States).—Mr. President, do I understand that the Delegate from Italy does not intend to press the adoption of this amendment, but simply throws it out for the purpose of provoking a general discussion?

Mr. Hall (Great Britain).—Yes, Sir; that is what I understand from the Delegate from Italy.

The amendment No. 33 to Article 4 was put to the Conference, and lost.

The President.—The next amendment is amendment No. 49, Article 4.

Captain Sampson (United States).—Mr. President, I understood that the proposition was to go on with the consideration of extra amendment No. 26, under Article 6, at the present time.

The President.—I did not so understand it; but if that is the sense of the Conference, we will proceed with it. Do I understand the Delegate from Sweden now proposes to take up extra amendment No. 26, Article 6?

Captain Malmberg (Sweden).—Yes, Sir; because that is the only amendment under Article 6 for that purpose, and the discussion having been already had, I think we will save time if we dispose of it now.

The President.—The Chair will put the motion for the action of the Conference.

Mr. Hall (Great Britain).—I think we have already carried the Resolution proposed by the gallant Delegate from Sweden to consider extra amendment No. 26. I thought it had been put and carried.

The President.—The Chair has no recollection of its being put and carried. It was proposed. It is moved now by the Delegate from Sweden that the Conference proceed with the consideration of extra amendment No. 26, Article 6.

The motion was put to the Conference, and carried.

The President.—The Secretary will please read extra amendment No. 26, Article 6.

"A sailing-vessel towing another vessel at sea shall carry the same kind of lights prescribed in Article 5 (*a*) of these Regulations."

Captain Malmberg (Sweden).—Mr. President, it is pointed out to me that this was, perhaps, not quite the signal to be made under this amendment, and when you go into it a little deeper I find that it is so. The ship is really under command, so the objection to having that signal is a good one. But I cannot at this moment say exactly what signal should be put there instead of this one. That,

however, may come up for further consideration. I should like to have a signal decided upon for sailing-vessels which shall be carried according to the Regulations. Although the signal is not quite a proper one, I do not think there would be any danger if the ship is allowed to carry it.

Captain Sampson (United States).—Mr. President, the Delegate from Sweden has just suggested that there might not be any danger from using such a signal. But the signal as it now stands in the Rules is for a ship which is not under command, and therefore, presumably, is a vessel which is not making way through the water. But a sailing-vessel towing may be going at a considerable rate of speed. Consequently, another vessel meeting or crossing the track of such a vessel would be authorized to assume that the vessel was stationary, or practically so, and that she could properly cross her bow. Of course, such an undertaking might result in a collision.

Admiral Kaznakoff (Russia).—I think you may be a little mistaken about the meaning of the words that the ship is under command. It is not that the ship is not under way; she is under way, but she steers with difficulty. She can steer and she can move. But she is a ship that we must avoid.

Captain Malmberg (Sweden).—In Article 5, subsection (*c*), it says: "The ships referred to in this Article, when not making any way through the water, shall not carry the side-lights, but when making way shall carry them." That is a general rule which is to be applied as well as subsections (*a*) and (*b*) under Article 5.

The President.—Has the Delegate from Sweden any amendment to his original motion?

Captain Malmberg (Sweden).—No, Sir; I have not.

Mr. Goodrich (United States).—Do you move to amend it?

The President.—The question is upon the extra amendment No. 26, proposed by the Delegate from Sweden.

Mr. Goodrich (United States).—Mr. President, I think that this amendment is well worth very grave consideration, because, although the instances where a sailing-ship is towing another ship at sea are somewhat infrequent, yet when such an instance does occur it is freighted with difficulties and dangers for vessels approaching; and if there be no provision in any of these Articles for the lights which a sailing-vessel which is towing another vessel shall carry, I think we ought to provide for it. I had proposed to make some suggestions under an amendment proposed by the Delegate from Great Britain about a vessel being towed, which I will talk with that Delegate about. But I do not find here any provision for the lights which a sailing-vessel shall carry, which, I think, is necessary, especially in view of the interpretation of the Delegate from Great Britain in regard to a ship not being under command. Now, let us take this Article 5. In Article 5 it is provided that—

"(*a.*) A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carrry, in the same position as the white light which steam-ships are required, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter," &c.

The next Article says:—

"A ship, whether a steam-ship or sailing-ship, employed in laying or picking up a telegraph cable, shall at night carry in the same position as," &c.

The Conference will see that Article 5, subsection (*a*), refers to a ship which from any accident is not under command, and subsection (*b*) relates to a ship which is laying a telegraph cable. Then it comes to subsection (*c*), which says:—

"The ships referred to in this Article, when not making any way through the water, shall not carry the side-lights, but when making way shall carry them."

In other words, this is the interpretation of the words "not under command," a ship which, from any accident, cannot go through the water is not under command.

Cries of "No, no!"

Mr Goodrich (United States).—I am searching for information. I will limit it a little. A ship which, from any accident, finds it impossible to make way through the water is not under command.

Cries of "No, no!"

Mr. Goodrich (United States).—Then I should like an interpretation of what a ship not under command means.

Captain Bisbee (China).—When she has headway, but cannot be controlled in her movements.

Mr. Goodrich (United States).—I say that any vessel which from any accident to herself cannot make headway through the water is not under command. Now, we have not provided for any light which a sailing-vessel towing another vessel shall carry.

Dr. Sieveking (Germany).—Mr. President, in the general discussion of these amendments I pointed out that it would be desirable to have a bright light to distinguish towing sailing-vessels; but I think it is quite out of the question, and that there cannot be the slightest doubt about it, that it is quite impossible to agree to the amendment under discussion now. The not-under-command lights could only be given to towing sailing-ships, if the cases were quite the same.

But it has been pointed out, and I do not think that there can be the slightest doubt about it, that the cases are very different. There may be, perhaps, a case where a towing sailing-ship is equal to a ship not under command; but that would always be an exceptional case; and if there are, they need not be provided for, because they are provided for by Article 5. The meaning of the words "under command," I take it, is very simple. If she can be manœuvred, if she is in a position to follow the orders which are given by the officer in charge of the deck, she is a ship under command. A ship not under command, of course, may move through the water. A ship not under command

may be driven on by the current; but if she is moving through the water she is to carry the side-lights, besides the "not-under-command" signals, three globular lanterns or black balls, which show that she is not able to manœuvre.

It would be a very bad principle, I should think, to give the same signals, these extraordinary signals, to differently situated ships. Now, take the consequences. A vessel having the "not-under-command" signals acquires a right, by showing those signals, to be avoided by all other vessels. As Mr. Goodrich has told us, it is quite clear that if you have a large sailing-vessel towing a small fishing-boat, or towing a small boat only, she is entirely under command. Should you give the right to such a large sailing-vessel, towing a fishing-boat, of hoisting the signals and thereby forcing all other vessels to keep out of her way? That would be quite impossible. I think, therefore, although it is very desirable to have this signal, even though the case is not a very important one, yet in my opinion it is entirely out of the question to grant the "out-of-command" signals to sailing-vessels towing.

Captain Malmberg (Sweden).—Mr. President, I have specially put in my amendment the words "at sea," and I think it very seldom occurs, if ever, that a sailing-vessel at sea has another small craft in tow. It will only be a large vessel and not a craft. As there is objection to using the signal which I have proposed, I would like to amend by putting it in the shape of having the Conference pass upon the principle and leave the signal to be decided upon hereafter. I would propose that the amendment be voted on as to the principle, and the signals left for the future consideration of the Conference.

Mr. Verney (Siam).—Mr. President, I do not know whether I shall be in order in suggesting to the gallant Delegate from Sweden whether he would accept an amendment of this kind: "Some distinctive signal shall be carried by a sailing-vessel towing another vessel at sea." We shall then have laid down a matter of principle, and that would leave the details as to the application of the Rule to some Committee, which, perhaps, will deal with it and report upon it. I want to ask the Delegate from Sweden whether he would be inclined to accept the statement of the principle in those words.

Captain Malmberg (Sweden).—Yes, Sir; I will accept that. It comes to the same point, that a sailing-vessel towing another vessel shall carry some distinctive signal at night, to be decided on hereafter. Then it will read:—

"A sailing-vessel towing another vessel at sea shall at night carry some distinctive light."

The President.—The Chair understands the proposition to be a substitute by the Delegate from Sweden for his own proposition. The substitution will be read by the Secretary.

The substitute is as follows:—

"A sailing-vessel towing another vessel at sea shall at night carry some distinctive light."

The President.—That is a substitute for extra amendment No. 26.

Mr. Goodrich (United States).—I would suggest to the honourable Delegate from Sweden that the words "at sea" should be stricken out. We have discussed the subject over and over again, and decided that we were to make these Regulations for the world, and when any nation desires to except its inland waters from the operation of this Rule, or any other Rule, it can do so when it passes the Act adopting these Rules.

Dr. Sieveking (Germany).—The difficulty would not be met by merely omitting the words "at sea," because you can very easily see that at the mouth of the rivers a sailing-vessel might meet a small fishing-boat, and the fishing-boat would say, "Won't you be good enough to tow me up the mouth of the river?" Then the sailing-vessel would have in tow a small fishing-boat, and it would be impossible to grant the not-under-command signals in such a case. I think it would be a good *principle* to say that a towing sailing-ship must be distinguished, but this ought to be confined to cases where a vessel is being towed which is disabled, because such cases only require an exceptional signal.

Captain Malmberg (Sweden).—I will not object to having those words struck out.

The President.—It will be read again with the words "at sea" struck out.

The amendment is now as follows:—

"A sailing-vessel towing another vessel shall at night carry some distinguishing light."

Captain Mensing (Germany).—Mr. President, I take it that this Rule as proposed would apply to a 2,000-ton sailing-vessel, which has taken a pilot-boat astern, and would require her to carry these lights. She must do it; there is no liberty about it. Now, I believe that in the latter part of these Rules and Regulations there will be a rule laid down that ships that are towing others are not able to obey the Rules of the Road, and cannot get out of the way of other ships, and, therefore, sailing-vessels shall keep out of the way of such towing sailing-vessels. I think most of the gentlemen will agree with me. This Rule provides that a sailing-vessel going through the water with a speed of 7 knots an hour, with a fair breeze, manœuvring in every way, having a sailing- or a pilot-boat of 10 tons gross hanging to her stern, shall put up the light prescribed by this Article, and that another ship which is coming to meet her shall get out of her way.

Captain Malmberg (Sweden).—I only want to meet the objection. If a Rule is passed that every single vessel shall keep out of the way of a vessel towing when there is any danger of a collision, how am I to know at night that a vessel is a vessel towing another vessel? I see two green or two red lanterns, or, on meeting them ahead, I see a white light; but there is nothing to tell me that there is a vessel in tow. It is all very well by day, but at night there is nothing to show that there are two vessels made fast one to the other. That is the reason why I have made my motion to have a signal for this purpose. I do not stand on the signal at all, nor on the formation of the amendment; but I

want to have it brought to the notice of the Conference and decided whether or not they will provide signals for sailing-vessels towing. That is the principle I stand on.

Captain Norcross (United States).—It seems to me that all this difficulty would be got over by inserting the word "disabled."

Captain Malmberg (Sweden).—There is a suggestion made by Captain Sampson which I think will take us out of some of the trouble. If we put in the word "disabled" to make it read, "Any sailing-vessel towing a disabled vessel," I think we will meet some of the objections raised.

Mr. Hall (Great Britain).—Mr. President, so far as my colleagues and myself are concerned, we should be perfectly willing to support the principle that a sailing-vessel towing a disabled vessel at night should carry some distinctive light, subject to the provision that a satisfactory light shall be found. Of course, the reason why signals of this kind are not multiplied in the Rules always has been the difficulty of finding a distinguishing light which will not create confusion, and directly that we begin to deal with an exceptional case like this, we find it very difficult to obtain a proper distinguishing light. It has been pointed out that the case of sailing-vessels towing another vessel at sea is by no means very common. It is not an every-day occurence, like steam-vessels towing. Sailing-vessels towing are practically exceptions. But, as I say, we do not object to the principle, assuming that a satisfactory light can be found; but I do not mean to say that we are willing to agree that they shall carry a distinctive light, without providing that one shall be found.

Mr. Goodrich (United States).—Let it be understood that we stand upon the principle, with the provision that a proper light shall be found. The light shall be left to the future determination of the Conference.

Mr. Hall (Great Britain).—And when we find a light we can prepare a Rule accordingly. This Rule will not stand in these words when finally printed, but it would announce the principle, and we can frame a substitute if we find a satisfactory light.

The President.—The question is upon the substitute for extra amendment No. 26. It will now be read.

The substitute is as follows:—

"A sailing-vessel towing a disabled vessel shall carry some distinctive light, provided such light can be determined upon by the Conference."

The above substitute was submitted to the Conference, and adopted.

The President.—The forty-ninth amendment is now in order.

The Secretary will please read the amendment.

The amendment is as follows, to be added to Article 4:—

"Steamers towing shall carry, in addition to the white masthead-light, an additional white light, carried vertically, and when towing more than one vessel an additional white light for each vessel being towed, not less than 3 feet apart."

Captain Norcross (United States).—Mr. President, as the honourable Delegate from Great Britain has offered an amendment in regard to this matter, I desire to be permitted to withdraw my amendment.

The President.—The Delegate from the United States moves to withdraw his amendment.

The motion was put to the Conference, and carried.

The President.—The next amendment is No. 9 (*a*), Article 4.

Mr. Hall (Great Britain).—The ninth amendment, I think, is the same as the amendment which has already been passed, substituting the word "two" for "three."

The President.—This amendment, as I understand it, has been adopted.

Mr. Hall (Great Britain).—Yes, Sir; it is the same as the ninth amendment.

The President.—The next amendment is amendment No. 18, Article 4.

The amendment is as follows:—

"Steam-ships, when towing another ship, shall, in addition to the side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish them from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white lights which other steam-ships are required to carry.

"A vessel being towed shall only carry two white lights aft, at a height not less than 10 feet above the bow."

Lieutenant Beaugency (Chile).—Mr. President, I see that my amendment is not in the right place. It should come under Article 5.

The President.—The Delegate from Chile desires that his amendment shall not be considered under Article 4, but under Article 5. If there is no objection it will be so ordered.

The President.—The next amendment in order will be the eleventh amendment, Article 5.

Mr. Goodrich (United States).—That has been withdrawn. It was withdrawn 1st November.

The Secretary will please read it.

"Article 5 (*c*). The lights and shapes required to be shown by this Article are to be taken by other ships as signals that the ship showing them is not under command, and cannot therefore get out of the way. These signals are not signals of ships in distress and requiring assistance. Such signals are contained in Article 31."

Mr. Hall (Great Britain).—As this is an amendment which we proposed, I do not think it necessary that we should take up the time of the Conference with regard to it. I have already

pointed out the object of the amendment. The object is to slightly alter the verbiage of the present Rule by striking out the words, "*the signals to be made by ships in distress and requiring assistance are contained in Article 27.*" We propose to put in words which will point more directly, and call the attention of sailors more directly to the fact that these signals are not signals of ships in distress and requiring assistance. From the words used at present the sailor might infer that these were distress signals. We have thought it desirable to point out that they are not signals of ships in distress.

The President.—The Secretary will please read the amendment for the information of the Conference.

The amendment is as follows:—

"The lights that shall be required to be shown by this Article are to be taken by other ships that the ships showing them are not under command and cannot therefore get out of the way. These signals are not signals of ships in distress and requiring assistance. Such signals are contained in Article 31."

Mr. Hall (Great Britain).—Let the amendment read "in Article 27" for the present, because that is the number of the existing Article. We have an amendment relating to Article 27, and the new number can be given to it after the Committee on Collocation has reported.

The President.—Is the Conference ready for the question?

The question on the amendment No. 14 to Article 5 was put to the Conference, and carried.

The President.—The fifteenth amendment, Article 5, is the next in order for discussion by the Conference. The Secretary will please read it.

Captain Van Steyn (the Netherlands).—The extra amendment No. 4 is about the same matter, and it would perhaps be well to take them up together. There is only a slight difference in the wording between the two.

The President.—Does the Delegate from the Netherlands wish to substitute extra amendment No. 4 for amendment No. 15?

Captain Van Steyn (the Netherlands).—I handed over yesterday an amendment to be submitted in connection with the fifteenth amendment.

The President.—Then the Delegate desires that the two shall be considered in connection with each other. If there is no objection that will be ordered. The Secretary please will read extra amendment No. 4.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry in the same position as the white lights which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry in a vertical line, one over the other, not less than 6 feet apart, in front of the foremast at a height above the hull not less than the breadth of the ship, but never less than 20 feet above the hull, three black balls or shapes not less than 2 feet in diameter."

Mr. Hall (Great Britain).—Might I suggest that we deal with subsection (*a*)?

The President.—Do you propose to take up subsection (*a*) of extra amendment No. 4?

Mr. Hall (Great Britain).—I would propose that we consider subsection (*a*). The Secretary was proceeding to read the whole of the extra amendment No. 4. I think it would be a waste of time to read (*b*), (*c*), (*d*), and (*e*) now.

The President.—The Conference will proceed to the consideration of subsection (*a*).

Mr. Hall (Great Britain).—Might I point out to the Delegate from the Netherlands that what he desires to carry in his amendment to subsection (*a*) in his original amendment No. 15 has already been resolved upon by the Conference by the Rule as to candle-power, and, therefore, it will not be necessary for him to press that now. If that be the case, he will not wish to strike out the words, "not less than 10 inches in diameter," because the Conference has resolved on a Rule as to candle-power which will affect all Articles referring to light. The proposed amendment to Article 5, subsection (*a*), is now rendered unnecessary by the Resolution of the Conference. I would ask him whether he will not withdraw that amendment, leaving the wording as it is. Of course I do not ask him to withdraw the amendment changing the word "three" to "six."

Captain Van Steyn (the Netherlands).—It has been decided by the Conference that it should be indicated by candle-power, and that the words, "not less than 10 inches in diameter," shall come out.

The President.—The Chair understands that the Delegate from the Netherlands has withdrawn paragraph (*a*) of Article 5.

Captain Van Steyn (the Netherlands).—The fifteenth amendment only. I propose to withdraw that amendment.

The motion to withdraw amendment No. 15, Article (*a*), was carried.

Mr. Hall (Great Britain).—The only amendment to subsection (*a*) is to substitute the word "six" for "three," which the Conference has adopted in principle. If so, it will not be necessary to have any discussion on that. We are still dealing with subsection (*a*) in amendment No. 15.

Captain Sampson (United States).—He moves to withdraw that.

Mr. Hall (Great Britain).—He withdraws all of the amendment except the changing of the word "three" to "six."

Captain Sampson (United States).—That occurs in both of the amendments.

Mr. Hall (Great Britain).—I am very much obliged to the learned Delegate for pointing that out

to me. If the Delegate from the Netherlands withdraws the amendment to subsection (*a*) in amendment No. 15, we can discuss his amendment under extra amendment No. 4.

Captain Van Steyn (the Netherlands).—I withdraw subsection (*a*), amendment No. 15.

The President.—The question now is upon subsection (*a*), amendment No. 4.

Mr. Hall (Great Britain).—I understand that the learned Delegate from the Netherlands has withdrawn his amendment to strike out the words "not less than 10 inches in diameter." And then we can proceed to the discussion of the substitution of the word "six" for "three." That is the next amendment.

The President.—The Secretary will please read paragraph (*a*), extra amendment No. 4.

"Article 5 (*a*). A sailing-ship which from any accident is not under command, shall at night carry, in the same position as the white lights steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry in a vertical line, over one another, not less than 6 feet apart, in front of the foremast, at a height not less than the breadth of the ship, but never less than 20 feet above the hull, three blacks balls or shapes, each 2 feet in diameter."

Mr. Goodrich (United States).—Mr. President, one of the Delegates from Norway desires me to state that there is a photographer waiting in front of this house for the purpose of taking a picture of these distinguished Delegates, and if the Delegates will pause for a moment at the adjournment of the Conference the photographer will be very much obliged to them.

The Conference then took a recess until 2 o'clock.

After Recess

Mr. Goodrich (United States).—Mr. President, will you permit me a moment in regard to the order of business? Inasmuch as the Conference has determined to consider all the General Divisions of the Programme, I move that the Chair appoint Committees upon these several Divisions, except the Divisions for which Committees have already been appointed, which, as I understand, are Divisions Nos. III and V, to the end that the subjects may be considered by the Committees, which shall be ready to report as soon as the subdivisions of the Programme are reached.

The President.—There is a motion on the part of the Delegate from the United States that Committees be appointed upon the various Divisions of the Programme which it was decided this morning, by a Resolution, to consider.

The Secretary will please read the Resolution.

"*Resolved*,—That the President appoint Committees on the several Divisions of the Programme, except Divisions Nos. III and V."

The Resolution was put to the Conference, and carried.

The President.—Amendment No. 4 is now in order, paragraph (*a*). The Delegate from the Netherlands desires to withdraw paragraph (*b*) in amendment No. 15, if there is no objection.

Captain Van Steyn (the Netherlands).—Also, the first line underneath paragraph No. 3.

The President.—If there be no objection it will be so ordered. Paragraph (*a*), extra amendment No. 4, is now under consideration.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white lights steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and by day shall carry in a vertical line, one over the other, not less than 6 feet apart, in front of the foremast, at a height not less than the breadth of the ship, but never less than 20 feet above the hull, three black balls or shapes each 2 feet in diameter."

Captain Van Steyn (the Netherlands).—Mr. President, we would improve that by inserting, after the words "6 feet apart," the words, "where they can best be seen."

The President.—The amendment will be read as proposed.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, which from any accident is not under command, shall at night carry, in the same position as the white lights steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each of not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at the distance of at least 2 miles, and shall by day carry in a vertical line one over the other, not less than 6 feet apar., where they can best be seen, in front of the foremast, at a height above the hull not less than the breadth of the ship, but never less than 20 feet above the hull, three black balls or shapes each 2 feet in diameter."

Mr. Goodrich (United States).—Mr. President, does not the use of the words, "where they can best be seen," obviate the necessity of adding the other words which define the exact location

in which they are to be placed? If you use the words, "where they can best be seen," why should not the italicized words in the last three lines be obliterated.

Mr. Hall (Great Britain).—They are obliterated.

Mr. Goodrich (United States).—Not as it was read.

Captain Van Steyn (the Netherlands).—If the members of the Conference think that will do just as well, I have no objections to striking them out.

Mr. Hall (Great Britain).—Might I suggest to the Delegate that it is not necessary to put in the words "in front of" or "the foremast," but merely the words, "where they can best be seen," because the master of a vessel knows perfectly well where his signals can best be seen, and if you make the Rule provide that they shall be not lesst han 6 feet apart "where they can best be seen," I think it will effect the desired end.

The President.—The Secretary will please read the amendment as it stands now.

The amendment is as follows:—

"A ship, whether a steam-ship or sailing-ship, which from an accident is not under command, shall at night carry, in the same position as the white lights which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, in a clear atmosphere, at a distance of at least 2 miles, and shall, by day, carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three black balls or shapes, each 2 feet in diameter."

The President.—The amendment is now fairly before the Conference for consideration.

Admiral Kaznakoff (Russia).—Mr. President, if the honourable member from the Netherlands desires amendment No. 15——

The President.—That has already been withdrawn.

Admiral Kaznakoff (Russia).—The measure of the lanterns, "not less than 10 inches in diameter," is stricken out.

Mr. Hall (Great Britain).—The diameter of the lanterns is given in Article (*a*). The note to which the Delegate referred is only applicable to section (*b*), and suggests the desirability of giving the visibility of the lights. Article (*a*) gives the distances, as you will see.

The President.—Is the Conference ready for the question?

Mr. Verbrugghe (Belgium).—May I remark that the following amendment, No. 16, is nearly the same as this, except that instead of the black balls and the three lights there are only two balls and two lights. If this amendment were written in the same language as proposed by the honourable Delegate from the Netherlands, perhaps it would be preferable.

Mr. Hall (Great Britain).—I propose to discuss that afterwards. When we reach that proposition I intend to propose that two lights shall be used instead of three, and two balls instead of three; but it will not affect the principle which is involved in this amendment.

The amendment of the Delegate from the Netherlands was put to the Conference, and adopted.

The President.—The next order of business will be the consideration of paragraph (*b*), Article 5, extra amendment No. 4.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, employed in laying or picking up a telegraph-cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns, in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character so as to be visible at the same distance as the white light. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, in front of but not lower than the foremast head, at a height above the hull not less than the breadth of the ship, but never less than 20 feet above the hull, three shapes, not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle diamond in shape and white."

Mr. Goodrich (United States).—There is no use of the word "so" in the amendment. I would move that it be stricken out.

The amendment, as finally submitted to the Conference, is as follows:—

"(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph-cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes, not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

The President.—Subsection (*b*), Article 5, extra amendment 4, is now before the Conference.

Captain Mensing (Germany).—Mr. President, I would like to ask the honourable Delegate from the Netherlands whether he has any particular reasons for making the limit so low as 2 miles. For sea-going steamers we have given the visibility of the range of light for the foremast-light as 5 miles. It would be more difficult to construct a lantern that is to be visible all around the horizon for 5 miles than for 2 miles, particularly if you take into consideration that the colour is to be red. I do not

suppose that there are any sailing-vessels that could be used in repairing and picking up cables. It seems to me a question worthy of consideration whether this distance should be put down so low for a telegraph-ship laying cables. Such a ship wants above all things to be left in peace. She must not be disturbed in any way in her operations, or the cable breaks. She therefore requires an exceptional position in these Regulations.

I think, therefore, that it is not a peculiar hardship to require them to make their lights visible at a great distance; it would not be at all out of place to require them to use lights visible further than 2 miles. But as I said before, it is necessary that other vessels should get out of the way of such vessels. A telegraph-cable vessel requires that every craft should go as far from her as she possibly can.

Mr. Hall (Great Britain).—Mr. President, I would point out that but one of these lights is to be white. I would remind the Conference that yesterday we discussed the difficulty of getting a coloured light to show more than 2 miles, and the attention of the Conference was called to the Report of the Committee on Lights, in which the point was discussed as to the difficulty of getting coloured lights to show more than that distance. They suggested that experiments should be made. They thought that probably the construction of a more powerful light would necessitate the use of a great deal larger diameter, &c. The Delegate points out that telegraph-ships might be able to provide such a light, but it is to be remembered that this Rule is to apply not only to steamers, but to sailing-vessels, and sailing-vessels may be used in conjunction with steamers, especially for taking up a cable. I do not know that they are, but the Rule applies to both of them as it is at present.

Captain Mensing (Germany).—I would suggest to the Delegate from Great Britain that these ships always have on hand powerful lights. I have seen the "Faraday" and the "Great Eastern," and these ships were fitted out with powerful dynamos; if there be a powerful dynamo on board, there does not seem to be any difficulty in providing a light of the required power.

Captain Sampson (United States).—Mr. President, I imagine that it is very clearly the intention of the present Rule that the red light shall be seen at the same distance as the white light. Perhaps the object of this was to prevent a mistake by having the range of the white lights greater than the red lights, in which case the vessel might be mistaken for an ordinary steamer, and she would only find the true character of the vessel after the red lights became visible.

The President.—Is the Conference ready for the question on paragraph (*b*) as read by the Secretary? The Secretary will please read it again.

Paragraph (*b*) is as follows:—

"(*b.*) A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph-cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes, not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

Captain Mensing (Germany).—Mr. President, I should like to move an amendment to this so that it shall read that on a steam-ship these lights shall be visible 5 miles.

Captain Van Steyn (the Netherlands).—Mr. President, I think that the words "at least 2 miles" do not exclude the steamer from showing the lights at a greater distance.

Captain Mensing (Germany).—Mr. President, it is said here that it is to be a globular light, which is a little lantern, round, burning with a chimney or without a chimney, and nothing else. It is prescribed that this light shall be 10 inches in diameter, and it is quite impossible to get a range of 5 miles with a globular lantern. I think it should be taken into consideration that these lights are to show steamers that they need not be annoyed, and that they may proceed on their way across the ocean without altering their speed. If cable-ships want all ships to get out of their way, is it not a proper burden on such a ship to provide a proper light? So far as I know they are always complete and always fitted out properly, and such a ship should not be permitted to have a lantern which I would not like to prescribe for a collier.

The President.—Will the Delegate from Germany be kind enough to reduce his amendment to writing?

Captain Richard (France).—Mr. President, I ask permission to explain the use of the arc light for the lighting purposes suggested by our honourable colleague from Germany.

In practical use the light actually obtained from the arc is not perfectly steady. I think that every one has been able to see an electric light in operation. We all know that at certain moments it is more or less partially extinguished, and that the next moment the light flares up, there not being that uniformity of light which is indispensable for lighting vessels.

On the other hand, would there be any difficulty to put up these three lanterns, provided with proper regulators, in the position required by the Rules?

I take the liberty to submit these remarks to the consideration of the Conference.

Mr. Verney (Siam).—Before the Delegate from Germany puts his motion may I ask him whether he can inform the Conference whether it is absolutely certain that a globular red light can be seen 5 miles?

Captain Mensing (Germany).—I think the distinguished member from Siam has misunderstood me. I wanted to explain that the red globular lantern can *not* be seen 5 miles. I do not think it possible to make it visible 5 miles.

Mr. Verney (Siam).—I understood the gallant Delegate from Germany to say that he proposed that that provision should be put in the amendment,

Admiral Bowden-Smith (Great Britain).—Mr. President, I would point out that many of the latest of our men-of-war have electric lights, and I can state that they cannot be seen more than the regulation distance. They cannot be seen further than the oil light, as a rule. I do not say that such lights cannot be made, because I am not expert enough to know. But what I mean to say is that they do not show farther than that distance at present.

Mr. Verney (Siam).—Does that apply to those which are fitted with reflectors?

Captain Mensing (Germany).—The single incandescent lights are made from 8 to 32 to 40 candle-power; that is to say, an electric light may be made five times stronger than one which is of the smallest size. Of course, there are other lights than from 8 to 40 candle-power. There is nothing in the way of constructing a lantern of one, two, three, or five of these filaments.

But what I want to give expression to is that I do not see why such ships should be supplied with small lights. You might say that it would be difficult to provide a powerful light. There is a very easy way out of it, simply by condensing two electric lights in a quarter over the horizon. I will not go on and propose such lights for ordinary use, for the reason stated in the Report of the Committee on Lights; but I do not see any reason whatever why a cable-laying ship, which expects others to get out of her way, should be treated in an entirely different way from other ships; nor why such a ship, costing an enormous amount of money and earning large sums, should not be provided with such lanterns whenever she goes out.

Mr. Garde (Denmark).—Mr. President, I do not doubt that, as the honourable Delegate from Germany has said, large vessels laying out cables can be provided with electric lights of the power mentioned. But I am quite sure that there are many cases where small vessels are employed in laying out cables, or in picking them up for repairs, vessels which have not been furnished with the necessary machinery in order to be provided with an electric light. Therefore I do not favour the amendment which he proposes, and which, of course, would have to be applied not only to ocean steamers, but also to every cable-ship. You sometimes see sailing-vessels used for this purpose.

I think that the original proposal as it stands, that the light must be seen at least 2 miles, provides as much as can be done generally. It is to the interest of the repairing cable-vessels to make these lights as strong as possible; they can then work with less difficulty. Therefore, I do not doubt that these vessels which are employed in ocean-cable laying, without it being prescribed in these Rules, will try to do their best to make their lights visible as far as possible.

Captain Malmberg (Sweden).—Mr. President, I only wish to state that I am of the same opinion as the honourable Delegate from Denmark, because, in Sweden, we have several cables, and we have no large telegraph-ships. We just use the common gun-boats or anything, so that we will not be able to comply with the Rules if the lights to be carried are electric lights.

Admiral De Spaun (Austria-Hungary).—Mr. President, I wish only to state that, in the Austrian navy, there has been a long series of experiments for testing the absorbing power of different coloured glass, and we found out that the red glass absorbed at least 60 per cent., and sometimes nearly 80 per cent., of the light. Now, if you should have a white light with a half-a-candle power, it might be visible at least 2 miles, while the red light would have to be of at least 12-candle power. So I think it would be quite impossible to provide that the lights should be visible 5 miles without having some experiments before us. I think we want the result of some experiments before we provide for a distance of 5 miles.

Admiral Bowden-Smith (Great Britain).—May I point out that, as I read the Rule, the white light is supposed to show 5 miles, and the red light only 2? I see no harm in that, because the white light is always more or less a danger light; and when the vessel is approaching this white light she will, I think, before she can embarrass the cable-ship, see the two red lights. I do not know that I read the Rule as the Conference do, but I read it that the white light is to show 5 miles, as other white lights do, and the other two red lights will show at least 2 miles.

Mr. Goodrich (United States).—Will the Admiral point out where that wording is?

Admiral Bowden-Smith (Great Britain).—I understand it that way. The Rule does not say so, but I have always understood it in that way, and I see no objection to the white light showing 5 miles.

The President.—Is the Conference ready for the question upon the amendment of the Delegate from Germany to the amendment of the Delegate from the Netherlands, which will now be read?

The amendment is as follows:—

"To strike out the words 'in globular lanterns,' and add, after the words 'at a distance of at least 2 miles,' the following: 'but if she be a steam-ship, then at a distance of not less than 5 miles.'"

The amendment will then read as follows:—

"A ship, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph-cable, shall at night carry, in the same position as the bright white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles; but if she be a steam-ship, then at a distance of not less than 5 miles. By day she shall carry, in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

The amendment of the Delegate from Germany to subsection (*b*), Article 5, was put to the Conference, and lost.

Mr. Goodrich (United States).—Before we come to take a vote on the main proposition I would like to call the attention of the Delegates to the fact that under the words "where they can best be seen" there is no indication as to the person by whom the lights are intended to be seen. It is to a vessel approaching forward of the beam.

Mr. Hall (Great Britain).—I apprehend that they shall be placed so that they shall be visible from all directions. It would be impossible to lay down one place for vessels approaching ahead, and another place for vessels approaching on the bow, and another place for vessels approaching abeam. You must try to find the best place, and the master of the vessel knows better than anybody else which is the spot on his vessel where they can best be seen by other vessels.

Mr. Goodrich (United States).—I still suggest that the words are a little inaccurate. It says: They shall carry three shapes not less than 3 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white. What do you mean by that? Do you mean on a flat canvas, or diamond-shaped like a pyramid?

Mr. Hall (Great Britain).—They are blocks, which are invariably used.

The President.—The question is upon the amendment of the Delegate from the Netherlands, which will be read again for the information of the Conference.

The amendment is as follows:—

"A vessel, whether a steam-ship or a sailing-ship, employed in laying or in picking up a telegraph-cable, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three lights in globular lanterns, in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white."

Captain Salvesen (Norway).—May I just add one word to say that the steam-ship might be allowed to keep her top lantern and supplement it by her two red lanterns? As I now understand it, she is not allowed to keep her top lantern, but has to use a white globular lantern. If the amendment were worded so that a steam-vessel was allowed to keep her top lantern it would be visible at 5 miles distance.

The President.—Does the Delegate from Norway make any proposition of amendment? If so, will he be kind enough to furnish the amendment in writing?

Captain Salvesen (Norway).—The amendment is one which is not very easily worded. If the Conference will adopt the principle, I think the wording might come afterwards.

The President.—The amendment of the Delegate from the Netherlands is before the Conference.

The amendment to subsection (*b*), Article 5, was put to the Conference and carried.

The President.—The next order of business is the last paragraph in the fifteenth amendment, Article 5. The Secretary will please read it.

The last paragraph is as follows:—

"We wish to lay before the Conference the proposition whether it is not necessary to have a special signal for steamers under sail, without steam, that are manageable; for instance, a triangular-shaped body in the foretop."

Captain Van Steyn (the Netherlands).—Mr. President, I would like to alter only a few words in this amendment, so as to make it read:—

"We wish to lay before the Conference the proposition whether it is not necessary to have a special signal for steamers proceeding under sail, without steam-power, which are manageable; for instance, a triangular-shaped body in the foretop."

The honourable Delegate from the United States has suggested to me to add the words "in the day-time" to avoid any confusion.

The President.—The proposition as it is now before the Conference will be read by the Secretary as rearranged.

The proposition as rearranged is as follows:—

"We wish to lay before the Conference the proposition whether it is not necessary to have, in the day-time, a special signal for steamers proceeding under sail, without steam-power, which are manageable; for instance, a triangular-shaped body in the foretop."

Captain Van Steyn (the Netherlands).—Mr. President, I think it unnecessary to give again the reasons for this amendment, because they are defined in the first Protocol. I do not wish to waste the time of the Conference in repeating them.

Dr. Sieveking (Germany).—I want to ask for my information whether it is intended to take steamers under sail in the proviso of subsection (*b*), that other vessels are to get out of their way? I am doubtful about it, and would like to be informed. Is that the intention, although they are manageable?

Captain Van Steyn (the Netherlands).—They are not under command.

Dr. Sieveking (Germany).—I only want to draw your attention to it, because the placing it under the head of Article 5 makes it a question of some doubt. It might be worthy of consideration whether we had not better place it under another Article, because this is not to indicate that a vessel is not under command, but it is for the purpose of indicating simply a way of distinguishing this

vessel which appears to be a steam-vessel from a real steam-vessel, and to show that she is a sailing-vessel.

Captain Van Steyn (the Netherlands).—I have no objection at all to inserting this amendment in any Article where the Conference may think it is right.

The President.—That is a matter which will come before the Committee that will arrange the whole subject in its proper order.

Mr. Hall (Great Britain).—I think that there is no objection in principle to the proposal of the Delegate from the Netherlands; but, as has been pointed out by the learned Delegate from Germany, it would be very undesirable to put this under the classification of vessels out of command. I take it that the object of this proposal is that when a sailing-vessel sees a vessel approaching which is apparently a steamer she will at once come to the conclusion that the steam-ship is to keep out of her way. But it is quite possible that that steamer is not using its steam for propulsion purposes at all, and that she is really a sailing-vessel. I think that the onus is upon that steamer to give notice that she is not a steamer. I quite agree with that suggestion.

I also agree with the suggestion of my learned friend on my left that it ought not to come under the head of vessels not under command; but should either come in under Article 4 or Article 6, which deal with sailing-vessels. But, as the President has pointed out, that can be done when it comes to the collocation of the Rules. I would also point out that in order to make this in proper shape the Delegate had better draft it as an Article. At present it is only a recommendation. It is not an Article, and as such could not take any place in the Rules. When he draws an Article I hope he will give his mind to considering what distinctive signal shall be used, because we will have to consider that to make the Article of any force.

Mr. Verney (Siam).—Before passing from this Rule, perhaps I may be allowed to mention that I hope when the Collocation Committee is appointed they will be empowered to draft definitions to whatever words or expressions they think require it.

The President.—I think this discussion is out of order. The discussion now is upon the amendment, and not upon the subject of definitions. The time for that will come, but the Chair is of the opinion that this is not the proper time to discuss that subject.

Mr. Verney (Siam).—I hope the time will come when I may present that proposition.

Captain Van Steyn (the Netherlands).—I want to offer it now in the form of a motion that this last paragraph be inserted under Article 6.

Mr. Hall (Great Britain).—I hope the Delegate will not press that. I think we are all agreed practically on the principle of this, or at any rate we are in a position to take a vote upon it. I do not think there is any opposition to the principle; and if so, I do not see why we cannot adopt the principle which we have discussed here for nearly an hour, rather than to postpone it to another time, when we shall have all this discussion to go over again. The Delegate from the Netherlands can frame the Article and bring it in in the proper order.

The President.—The question now is upon the adoption of the principle as contained in the last paragraph, which the Delegate from the Netherlands is to put into proper form. This is not properly an amendment.

This question was then put to the Conference and adopted.

The President.—The Conference will now pass to the sixteenth amendment. The Secretary will please read the amendment.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, which from accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, two red lights in gobular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 6 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles; and shall by day carry in a vertical line, one over the ether, not less than 6 feet apart, in front of but not lower than her foremast-head, two balls or shapes, each 2 feet in diameter."

Mr. Hall (Great Britain).—Mr. President, this is a proposition to substitute the word "six" for "three" feet, and has already been carried in the amendment of the Delegate from the Netherlands, so that the only question now upon this amendment arises as to the number of lights which a vessel not under command shall carry, and the number of shapes to be carried by a vessel similarly situated in the day-time. Our suggestion is that two red lights will be sufficient in order to give notice what that vessel was. It would not put vessels to the onus of having to carry three of these special red lights. Accordingly, we beg to propose to substitute the word "two" for "three" in that Rule, to apply both to lights and shapes.

The President.—The question is upon the amendment of the Delegate from Great Britain, the sixteenth amendment to Article 5.

The question was put to the Conference and the amendment was adopted.

The President.—The next subject for the consideration of the Conference is the twenty-second amendment, Article 5. The Secretary will please read it.

The amendment is as follows:—

"Article 5. (*b*).—A ship, whether a steam-ship or sailing-ship, employed in laying or in picking up a telegraph-cable, or occupied with hydrographical researches, such as sounding, dredging, &c., shall at night carry in the same position," &c.

Mr. Hall (Great Britain).—Mr. President, I would point out to the gallant Delegate from Sweden that we have never found any difficulty with regard to our surveying vessels. We have never found it necessary to have them classified under this Rule. So far as I am aware, there has been no

representation whatever made as to the desirability of such a Rule. If so, I would ask him whether he thinks it necessary to press the amendment under the circumstances?

Captain Malmberg (Sweden).—I have had some discussion of this subject before it came before the Conference, but as I feel convinced of the objection to having these lights inserted into the Rules, I will not press the subject upon the Conference. I will move to withdraw the amendment.

The President.—The Delegate from Sweden desires to withdraw the amendment. If there is no objection it will be so ordered.

The amendment was withdrawn.

The President.—The next amendment for the consideration of the Conference is the twenty-ninth amendment, Article 5. The Secretary will please read the amendment.

The amendment is as follows:—

"Article 5. (*a.*) A ship, whether a steam-ship or a sailing-ship, which is aground in a fairway, or else from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry in a vertical line, one over the other, not less than 3 feet apart, in front of but not lower than her foremast-head, three black balls or shapes, each 2 feet in diameter."

Dr. Sieveking (Germany).—Mr. President, this amendment requires only a few words. It is not n alteration of the Rule; it is only an explanation. I think that lawyers would no doubt say that when a vessel has got aground in a fairway she, of course, is in a position to be not under command. Nevertheless, cases have occurred where a vessel has got aground in a fairway and the pilot and master were not certain whether they had to hoist the signals provided by this Article or not. If they were not to hoist them, the doubt was whether it was their right or their duty to show an anchor-light, or whether they were not to distinguish themselves by other means, because this could be considered a case not provided for by the Rules. The fact was that they did not hoist the signals provided by this Article and another vessel mistook the situation, or misunderstood it, and a collision occurred. It came then before the Courts, and very different opinions were expressed, not only among the mariners, but also among some of the local authorities. Many experts were convinced that this was not a case intended to be governed by Article 5, while the Courts decided that it was, and I think they were quite right.

I only mention this to show that seamen do not fully understand this question, and that there are doubts, because experience has shown that doubt does exist. Therefore we have said "a ship which is aground in a fairway;" it is merely an instance or an example. I think that I need not detain the Conference. It is quite clear that a vessel is not under command when she is aground in a fairway. As far as I know, it is the intention of the Conference to prepare these Rules so as to make them applicable to the whole road which sea-going vessels have to go through.

Mr. Goodrich (United States).—Mr. President, may I ask the honourable Delegate from Germany why he limits his amendment to the case of a ship which is aground in a fairway? Why is the same reasoning not applicable to a ship that is aground in a place that is not a fairway?

Dr. Sieveking (Germany).—It is put "in a fairway" there because there may be cases where it would be of no interest at all to vessels to see these signals. If a vessel which is not under command is not in a fairway, as happens on the rivers where small crafts are plying out on the full breadth of the river, where with an ebb tide they get aground, where that is the regular course of the voyage—that is, at a place where no other vessels ply—if we do not say "in a fairway" they would have to hoist the red lights or they would have to hoist the three balls. Now, if she is in a place where no other vessels are plying I think it would be an unnecessary incumbrance, and therefore we have said "vessels in a fairway," so as to protect other vessels.

Captain Norcross (United States).—We have a saying among sailors that when a vessel is in that situation "her bottom is at anchor." I should judge the proper light for her would be an anchor-light.

Dr. Sieveking (Germany).—Mr. President, the very case which I have mentioned shows that it would not be the proper light. This was in the River Elbe, and the vessel got aground in the river. Now, if she had hoisted the anchor-light she would have induced other vessels to think that she was at anchor in the river, and then it would have been expected that there was a fair passage on both sides, because vessels would not go to anchor at a place in a fairway so as to obstruct the passage on either side. Now, in fact, this vessel was lying across the river, and the situation was quite a different one. If the red light had been hoisted other vessels would at once have been aware that this was an exceptional case, and they would have approached with more care than if the anchor-light had been hoisted. I think it would not be well, in this case, to give a light to an exceptional situation which merely indicates a regular situation. The anchor-light indicates a regular situation, and a vessel aground in a fairway is not in a regular situation. Therefore the light should be different.

Mr. Verbrugghe (Belgium).—What we have just heard from the honourable Delegate from Germany denotes that there must be some means of indicating a ship which is aground either in fairway or somewhere else. If I read correctly the meaning of this Article 5, in section (*c*), it says The ships referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them. It has been explained to the Conference that these ships are not under way. They are not making any way through the water; but they may be drifting, and if the red lights which have been given especially to well-defined ships are given to ships aground, you may be led to believe still that the ship is drifting, or else take the ship with three

lights to be aground, and she may be drifting above you or to a place where you will very likely wish to come to anchor. I only want to point out that if these red lights should be given to vessels when aground some mistake may occur.

Dr. Sieveking (Germany).—I beg to say that we do not intend them to be *given*. They are *given* already.

Mr. Verbrugghe (Belgium).—I understood that they applied to ships when under way, but not under command—a ship floating in the water, but not aground. If the real meaning of Article 5, paragraph (*a*), is that a ship afloat, which is not at anchor or fastened to any moorings, is to carry three lights, then I say that it will be very dangerous to give them to ships which are fast to the ground somewhere.

Mr. Hall (Great Britain).—I perhaps might say that, so far as I am aware, the specific question has not arisen in our Courts, but it has been suggested that a vessel which was aground in a fairway ought to carry the lights under Article 5, and not the lights for a vessel at anchor. I can only presume that one of the reasons is that a vessel at anchor would swing with the tide, and so not block up the fairway as she might do if she were aground. In that way it might mislead vessels behind her. There have been two cases in which the point has been mentioned, and the opinion has been expressed, but not decided, that a vessel aground in a fairway ought to put up the "not-under-command" lights.

Mr. Verbrugghe (Belgium).—I am very glad to have provoked this discussion. There was a doubt in my mind which I wanted to have relieved.

The President.—The question is upon the amendment of the Delegate from Germany, which will again be read.

"Article 5, subsection (*a*). A ship, whether a steam-ship or sailing-ship, which is aground in a fairway, or else from any accident is not under command, shall at night carry, in the same position as the white light which steam-ships are required to carry, and if a steam-ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall by day carry, in a vertical line, one over the other, not less than 3 feet apart, in front of, but not lower, than her foremast-head, three black balls or shapes each 2 feet in diameter."

Captain Richard (France).—I ask my honourable colleague what difference the proposed amendment establishes between a vessel which is drifting with the current of a river—for instance, from an accident to her engine or to her rudder—and a vessel aground? You admit that a vessel which goes up or goes down a river is informed by a vessel which is aground across the channel that she is that position by her three red lights, and the former vessel is thereby warned and does not run the risk of endeavouring to pass to one side or the other, as would be the case if the latter displayed the white light of a vessel at anchor. That may be so, but do you not create a new difficulty by confusing a grounded vessel and one which, by reason of an accident to her engine or her rudder, is abandoned to the current, and which must then hoist the same lights?

This confusion between a vessel aground and one which, being no longer under command, drifts with the current and leaves perhaps room to pass her on either side, is a serious objection to the proposed amendment which I have the honour to recommend to the consideration of the Conference.

We mariners admit that when an accident happens to the engine or to the rudder of our vessel, which will not permit the officer in charge to steer his vessel, we must immediately display the lights indicating that we can no longer manœuvre, to wit, three red lights placed according to the Regulations.

If our vessel gets aground we must therefore, pursuant to the amendment or the decisions cited, use the same system of three red lights. I think that, whatever may be the advantage of recognizing a grounded vessel, the way to distinguish her must not be found in Article 5 (*a*) to the detriment of another case which is clearly defined.

[*Dr. Sieveking* (Germany) here made reply, addressing himself to Captain Richard (France).]

The President.—The Chair begs leave to state to the Delegates that the discussion should be addressed to the Chair, and not to individual members.

Mr. Goodrich (United States).—Mr. President, I think I may mention the fact that there is a difference of opinion among nautical men as to the lights which should be shown by a vessel aground in a fairway. When it is remembered that the President of the United States saw fit to appoint two gentlemen as Delegates to the Conference who are supposed to have some knowledge of the Rules of the Sea to fit them for this appointment, and when I refer to the case of the "City of New York," in which Captain Shackford and Mr. Griscom are somewhat interested, we may get a little light upon this subject. When the "City of New York" was aground in a fairway in New York Harbour she put up the riding-lights instead of the lights required by the Article relating to vessels not under command. Remembering what has just been said at the other end of the table, it is manifest that there is a great deal of difference among nautical men as to which light should be put up by a vessel aground in a fairway. The Delegates of the United States are in favour of putting up the anchor-lights. One of my associates suggests to me that she was a British ship with a British master. So that this British ship with a British master disobeyed the laws of their own country.

Mr. Hall (Great Britain).—I should like to know if she was acting under the advice of an American pilot.

The President.—Is the Conference ready for the question?

The question on the amendment was put to the Conference, and a division was called for.

The President.—A division is called for. The Secretary will please call the roll.

The vote was as follows:—

Austria-Hungary	Nay.	Italy	Nay.
Brazil	Nay.	Japan	Nay.
Belgium	Nay.	Mexico	Nay.
China	Nay.	Norway	Nay.
Chile	Nay.	Nicaragua	
Costa Rica	Nay.	Russia	Yea.
Denmark	Yea.	Spain	Nay.
France	Nay.	Sweden	Nay.
Germany	Yea.	Siam	Yea.
Great Britain	Yea.	The Netherlands	Nay.
Guatemala		Uruguay	
Hawaii		Venezuela	
Honduras		United States	Nay.

The President.—The Chair announces, as the result of the vote, that 5 have voted Yea, and 15 Nay, so the amendment is not agreed to.

The next subject for the consideration of the Conference is extra amendment No. 14, Article 5. The Secretary will please read it.

The amendment is as follows:—

"A vessel, whether a steam-vessel or sailing-vessel, which from any accident is not under command, shall at night carry, in the same position as the white light which steam-vessels are required to carry, and if a steam-vessel, in place of that light, three white lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 3 miles; and shall by day carry, in a vertical line, one over the other, not less than 3 feet apart, in front of but not lower than the foremast-head, three black balls or shapes, each 2 feet in diameter."

Mr. Goodrich (United States).—Mr. President, I am instructed by Captain Shackford to say that this amendment is withdrawn, having already been practically settled.

The President.—By general consent it will be withdrawn.

The next subject for the consideration of the Conference is amendment No. 24, Article 5.

Mr. Hall (Great Britain).—There is one before that, I think, extra amendment No. 18. It is the amendment of the Delegate from Chile. I think it is next in order.

Mr. Goodrich (United States).—I might say, also, if you will allow me, that the extra amendment No. 24 to Article 5 is the same as that which has just now been withdrawn, so that will also be withdrawn, by the permission of the Conference.

The President.—The next subject for consideration is extra amendment No. 18, under Article 5. The Secretary will please read it.

"A steam-ship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light which other steam-ships are required to carry.

"A vessel being towed shall carry two white lights aft, at a height not less than 10 feet above the hull."

Lieutenant Beaugency (Chile).—Mr. President, Article 5 provides for lights for ships under command, and then in section (*c*) it says:—

"The ships referred to in this Article, when not making any way through the water, shall not carry the side-lights, but when making way shall carry them."

So in this case it is plain that they are making way in the water; but a ship being towed, I think, is not under command. She cannot manœuvre.

Mr. Goodrich (United States).—For information, I would like to ask the honourable Delegate from Chile why he wishes to alter the provisions of Article 6, which provide for the lights which a sailing-vessel being towed shall carry, and to which several amendments have been proposed, as will be found when we come to the discussion of that Article.

Lieutenant Beaugency (Chile).—Because the side-lights on a ship mean that she is under command. I think that all the members of the Conference understand when they see the side-lights of a ship that it means she is under command. I do not think a vessel towing is under command.

Dr. Sieveking (Germany).—It seems to me that this amendment rests upon the supposition that a vessel which is being towed is not under command. I think that is the meaning of it. I do not think there can be any doubt that, unless exceptional circumstances occur to alter the case, a vessel which is being towed is under command, because every vessel is under command which follows the orders given by the man who has charge of the deck. Now, whether the man who has charge of the deck is the pilot on board the tug or the man in command on board of the vessel under tow, in both cases the vessel being towed is a vessel under command without the sightest doubt.

The President.—The question is upon extra amendment No. 18.

Mr. Hall (Great Britain).—I think it would be certainly desirable that the question as to what

lights a sailing-vessel being towed is to carry should be discussed under the Article which deals with sailing-vessels being towed. This Article deals purely with the question of lights for steamers. I take it that what we want to get is a separate classification for lights for steamers and for sailing-vessels. Perhaps it would be open to the Delegate from Chile, when the propositions are made in regard to Article 6, pertaining to sailing-vessels, to suggest the lights which he proposes under this amendment. I do not think that it is a sufficient reason for putting it in a different classification, because it is considered to be a vessel not under command. I think it ought to come under the Rule with regard to a sailing-vessel towing; and I would suggest to the Delegate from Chile that, when we deal with the Article in regard to sailing-vessels, he can then bring forward his proposition if he thinks it desirable.

The President.—Does the Delegate from Chile wish to withdraw it?

Lieutenant Beaugency (Chile).—For the present.

The President.—By general consent the amendment is withdrawn.

The Chair desires to state that the Delegates from Brazil, Captain Luis Philippe de Saldanha da Gama and Captain Joaquin Antonio Cordova Maurity, have arrived to-day and taken their seats.

The President.—As the time for adjournment has arrived, it is desirable not to take up a new subject, and the Conference will therefore stand adjourned until Thursday morning at 11 o'clock.

Washington, D.C., Thursday, November 7, 1889, 11 *o'clock* A.M.

THE Conference met at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The Chair desires to announce that the Delegates from Portugal and Uruguay to the International Marine Conference have appeared and taken their seats.

The first subject in order this morning is extra amendment No. 15 to Article 3.

Mr. Verney (Siam).—May I be allowed to offer an amendment to Article 19? I believe that will be in order now.

The President.—The Delegate is in order in offering the amendment; but it is not in order to make any remarks upon it.

Mr. Verney (Siam).—That is all I wish to do.

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"Article 19. A steam-vessel, when approaching another vessel which she has in sight so as to involve risk of collision, may, in taking any course authorized or required by these Regulations, indicate that course by the following signals on her steam-whistle:

"One short blast .. .. .. I am directing my course to starboard.
"Two short blasts .. .. .. I am directing my course to port.
"Three short blasts .. .. .. I am going at full speed astern.

"The term 'short blast' means a blast of about one second's duration.

"The use of these signals is optional."

(It is suggested that provision be made in this Article for sound-signals in reply to a vessel signalling by sound.)

Captain Shackford (United States).—Mr. President, as I find there is some opposition to compelling all steam-vessels to carry an after high light, on the ground that it is impracticable, I do not propose to press this amendment.

I have nothing to add to my argument in favour of this light; but I hold firmly to the opinion, after twenty years' experience as watch officer and master in the Atlantic trade, that some method could and ought to be adopted by which the approximate course a steamer is heading could be seen at a glance, certainly much nearer than the eight or nine points of the present system. In steamers going in opposite directions in misty or hazy weather, where lights can be seen only a short distance, every steam-ship master knows that the interval from the time when the masthead-light of an approaching steamer is first sighted, on either bow, to the time when side-lights are first seen, is an exceedingly anxious one. He can only keep his course until the side-lights come into view, and then, if it is a steamer crossing, it may be too late to avoid collision.

I shall therefore ask the Conference to *permit* the steam-vessels in the North Atlantic to carry a light at one of the after mastheads, for the purpose of experimenting as to the practicability and advantage of such a light being made a permanent one.

I will not take up any more time, but will ask leave to withdraw the whole of extra amendment No. 15, and to have the following added to Article 3:—

Addition to Article 3.—"Steamers in the North Atlantic trade *may* carry on one of the after masts a white light, visible all round the horizon, but said light must be at a height of not less than 20 feet above the forward masthead-light."

I ask leave to withdraw the whole of extra amendment No. 15.

The President.—The Delegate from the United States asks leave to withdraw extra amendment No. 15 to Article 3. If there is no objection the amendment will be withdrawn. The other amendment is offered as an addition to Article 3.

Captain Shackford (United States).—Yes, Sir; as an addition to Article 3.

The President.—That being rather an important amendment, it will be printed and considered Monday morning.

Captain Shackford (United States).—I will agree to that.

Captain Bisbee (China).—I beg leave to propose that Captain Shackford's amendment should apply to all other steamers, as well as to those in the North Atlantic. I think that all steamers should be allowed to try it.

Captain Shackford (United States).—There is no objection to that amendment.

The President.—Do you accept that as an addition to be embodied in your amendment?

Captain Shackford (United States).—I would rather have it presented in the shape of an addition. I should like any amendment to stand as I have written it.

The President.—Does the Delegate from China propose an amendment to the amendment of the Delegate from the United States?

Captain Bisbee (China).—I do.

The President.—The amendment will be printed.

Captain Bisbee (China).—Mr. President, in connection with the question as to what lights vessel aground should exhibit, certain cases have come under my own observation which I think are worthy of the most serious consideration, and——

The President.—The Delegate in making an amendment is not allowed to make any remarks in regard thereto.

Captain Bisbee (China).—Perhaps the Conference might decide that these considerations were not of so much importance as to call for an amendment, and if I could read them it will save any waste of time.

The President.—This being an amendment to Article 5 which is under consideration, the Chair rules that it is in order.

Mr. Hall (Great Britain).—I would only venture to suggest to the Delegate that when his amendment comes on for discussion, it will be necessary for him then to offer some observations in support of it.

The President.—The Chair understands that Article 5, which was discussed at the last meeting, cannot be considered disposed of until Article 6 is taken up.

Mr. Hall (Great Britain).—Quite so; but unless there is an amendment before us I apprehend that any observations would be out of order. At present there is no amendment before the Conference on which the Delegate proposes to address the Conference. If it is in support of an amendment, I apprehend that it is in order.

The President.—Is it in support of an amendment?

Captain Bisbee (China).—An amendment must follow this if it is considered of value by the Conference.

The President.—Would it not be better for the Delegate to make the amendment, and then make his remarks upon it?

Captain Bisbee (China).—I will make the amendment.

The President.—The Secretary will read the amendment.

The amendment is as follows:—

"A vessel aground in or near a fairway channel shall at night exhibit, where they best can be seen, three such red lights as are above described, in a vertical line, one above the other, not less than 6 feet apart, and by day shall exhibit the International Code signal J—T."

The President.—Any remarks upon the amendment are now in order.

Captain Bisbee (China).—In connection with the question as to what lights a vessel aground should exhibit, certain cases have come under my own observation which I think are worthy of the most serious consideration by this Conference, as they point to the absolute necessity for the exhibition, by a vessel lying aground in or near a fairway channel, of signals that shall indicate the fact and give vessels that may wish to pass her the earliest possible notice of her condition.

My first case is the navigation of the River Pei-ho, by which the city of Tientsin, the most important port in Northern China, is reached. A large number of steamers, having an average length of from 200 to 240 feet, are engaged in the trade. The river is so narrow and tortuous and so shallow in places that they very frequently get aground, and it has occurred that a vessel grounding with her bow on one side of the river has swung around till her stern took the opposite bank, and blocked the passage for everything larger than an ordinary boat. Now this is certainly a case where some distinctive lights are required at night to show that the vessel is aground.

As another illustration, let me refer to the approaches to Shanghae, the most important port of China, and ranking among the great sea-ports of the world. It is situated on the Wu-sung River, which empties into the Yang-tse-Kiang, and an examination of the Chart now on the table will show that it is obstructed by two bars near its mouth. On one of these, known as the inner bar, it is a not uncommon occurrence for vessels to run aground. The navigable channel across this bar is very narrow, and there is a great traffic carried on by vessels of all classes up to steamers 450 feet in length. The tides set diagonally to the course a vessel must take in crossing this bar, and every seaman can see, by a glance at the Chart, that the navigation here is exceptionally difficult and dangerous, and that a vessel having grounded there at night should at once exhibit distinctive lights to show that she is aground.

Finally, I would urge that it is of no small importance to passing vessels that a vessel aground in a narrow channel should always exhibit some signal to indicate the fact. All seamen know that it is not an uncommon occurrence for the pilot or captain of a vessel under way to hail a vessel that is at anchor and request her to sheer to one side or the other in order to give more room for the moving vessel to pass; and a man seeing a vessel displaying an ordinary anchor-light might, in the expectation of getting her to sheer, attempt to pass her when he would not if he knew her to be aground.

Captain Mensing (Germany).—Mr. President, I have not been able to fully understand the meaning of the amendment,

The President.—It will be read again.

Mr. Goodrich (United States).—Is this an additional section to Article 5?

Captain Bisbee (China).—It is proposed as a subsection (*b*) of Article 5.

The amendment is as follows:—

"A vessel aground in or near a fairway channel shall at night exhibit, where they can best be seen, three such red lights as are above described, in a vertical line, one over the other, not less than 6 feet apart, and by day she shall exhibit the International Code signals J—T."

Mr. Goodrich (United States).—Mr. President, it seems to me that this is a very important amendment, which should be printed for the consideration of the members before it is acted upon. Suppose it lies over for forty-eight hours?

The President.—It lies over under the rule.

The next subject in order is the eighteenth amendment to Article 6.

Admiral Kaznakoff (Russia).—Mr. President, I beg that you will allow Captain Mensing to speak on behalf of the Committee on Lights whenever it is necessary.

The President.—If there is no objection, the order of business will be postponed for the present if Captain Mensing desires to make some remarks upon the Report of the Committee on Lights.

Captain Mensing (Germany).—So far as I understand it is only in case there is anything necessary to say in regard to the Report of the Committee on Lights that the Chairman makes me his mouthpiece.

Mr. Hall (Great Britain).—Might I suggest, before we proceed with the amendment, that orders should be given that, if possible, we may have the amendments which have been given in this morning in print by the time that we break up to-morrow at 1 o'clock? Otherwise we shall not get them before Monday morning. They are important amendments, certainly, and I do not think it is asking too much of the printer to let us have these amendments by 1 o'clock to-morrow.

The President.—They will be here to-morrow morning.

The question is upon the eighteenth amendment to Article 6.

Captain Salvesen (Norway).—Mr. President, will you allow me to hand in an amendment to Article 8 before we proceed to the consideration of the other amendments, so that it may be printed?

The President.—The amendment will be read.

The amendment is as follows:—

"A vessel aground in or near a fairway shall, in addition to the above anchor-lights, show the wo red lights prescribed by Article 5 (*a*)."

The President.—The amendment will be printed for the consideration of the Conference.

The eighteenth amendment to Article 6 is now before the Conference. The Secretary will please read it.

The amendment is as follows:—

"Article 6. A sailing-ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light mentioned in Article 3 (*a*), which she shall never carry."

Mr. Hall (Great Britain).—Mr. President, this is an amendment which we have proposed simply to define what the white light is. By an error in drafting the original Rule the expression is used, "with the exception of the white light, which she shall never carry." As there is more than one kind of a white light mentioned in the Rule, that does not point out specially the fact that it means what commonly is called the masthead-light, which is mentioned in Article 3, subsection (*a*). I observe that the gallant Delegate from Italy has put an amendment on paper for the same purpose. We are quite in accord with him as to the desirability of deciding what the white light is. I desire to move that the words "mentioned in Article 3 (*a*)" be inserted in this Rule.

Mr. Goodrich (United States).—Mr. President, I intended to have called the attention of the Delegates from Great Britain to an amendment which I suggest as an amendment to the amendment offered by them, which would, perhaps, meet an omission in the Rules. As I remember the Rules, there is no provision for the light which a disabled steam-vessel or a steam-vessel being towed shall carry. I may be in error, but I do not at this moment remember any provision of that kind. I suggest that the words "any vessel" be added to this amendment, so that it shall read as follows:—

"A sailing-ship under way or any vessel being towed," &c.

I think if the Delegate from Great Britain will look at the Rules he will find that this suggestion will fill a very important omission. I omitted to call his attention to it, as I should have done in courtesy, before I submitted it to the Conference.

There is no provision in these Rules for a steam-vessel being towed. Why should not a steam-vessel being towed carry the same lights as any other vessel being towed?

Mr. Hall (Great Britain).—I would point out that we have already given notice of an amendment to carry out that very object, to provide that a steam-vessel when she is being towed and is not under steam is to be classified as a sailing-vessel. Of course that is a matter which can be raised either in the way the learned Delegate from the United States suggests or in the way we have already given notice of. But I will point out that this does not affect the amendment before the Conference at the present time. The amendment before the Conference at the present time is merely to define the Article referred to in the Rule.

Mr. Goodrich (United States).—I see that the Delegate from the Netherlands has proposed an amendment for that purpose.

Mr. Hall (Great Britain).—There are two or three amendments to that effect. The Delegate from the Netherlands has given notice of an amendment on that point. If the learned Delegate from the United States will kindly give me his attention for one moment, I will point out this: That this question of precising the light is an amendment by itself, and very likely it may be desirable to have an amendment dealing with other vessels coming within the operation of this Rule. But this amendment is a very simple one. It is simple to precise the lights mentioned. If it be desirable to add "any other vessel being towed," that of course will form a separate amendment which will have to be discussed on notice of it being given. But I am sure that he will agree with me that this amendment is a mere question of verbiage. It is merely to precise the white light, and therefore we propose to insert these words.

The President.—Is the Conference ready for the question on the eighteenth amendment, Article 6?

Mr. Hall (Great Britain).—I may appeal to my gallant friend the Delegate from Italy to know whether it will be necessary to proceed with the thirty-third (*a*) amendment, of which he has given notice to the same effect. It is merely a change of words and has the same effect; and if it is not pressed we shall be able to clear it out of the way now.

Mr. Goodrich (United States).—Does not the amendment proposed by the Delegate from Italy make the matter more clear to a sailor's mind than the suggestion of the Delegate from Great Britain contained in the amendment? If the eighteenth amendment be passed, a sailor must look to Article 3 (*a*) to see what light it is; whereas, if it is expressed in plain English, "he shall not carry the masthead-light," it seems to me that it is a little more definite, positive, and clear to the mind of the sailor.

Mr. Hall (Great Britain).—The same idea has struck us, and we did propose to accept the words used by the gallant Delegate from Italy, at first, but on looking at the Rules we find that there is no such thing mentioned as a white masthead-light; therefore we thought it better not to insert the words, although the light is commonly called, in sailors' language, the masthead-light. There is no such thing as a masthead-light mentioned in the Rule. I was under the same impression with regard to this language as he was until I came to look into the matter.

Captain Settembrini (Italy).—Mr. President, I proposed to add the words "masthead-light" to distinguish the masthead-light from the stern-light, which all ships are going to have.

The President.—The question is upon amendment No. 18, Article 6.

The amendment was put to the Conference, and carried.

The President.—The next subject for consideration will be the twenty-fourth amendment to Article 6, proposed by the Delegate from Sweden. The Secretary will please read it.

"Article 6. A sailing-ship under way shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry."

Captain Malmberg (Sweden).—Mr. President, I would like to state that this amendment was withdrawn at the same time as the amendment made by me under Article 5 about signals to be displayed by vessels being towed. It was withdrawn on the 1st November, at the same time as my eleventh amendment.

The President.—Do you desire to withdraw the twenty-fourth amendment?

Captain Malmberg (Sweden).—Certainly; because it cannot be sustained.

The President.—The Delegate from Sweden desires to withdraw the twenty-fourth amendment. If there is no objection it will be so ordered.

The next subject for consideration is amendment No. 35, Article 6, proposed by the Delegate from France.

The amendment is as follows:—

"Article 6. All sailing-vessels under way shall carry the same lights as are provided by (*b*) and (*c*) of Article 3 for a steam-ship under way.

"She shall also carry at the top of the foremast a white light."

Captain Richard (France).—Mr. President, I am desirous of being very brief for two reasons: (1) not to waste the time of the Conference; and (2) because I have the honour to be a member of the Committee on Lights.

I had occasion to state to the Committee my views upon the subject of the lighting of sailing-ships, and I had the satisfaction of seeing the Committee adopt some of these views. On the other hand, I have become aware that although such a system of lighting is desirable, it is difficult to come to an agreement as to the manner in which it can be put in practice. I thought at first that I could dispense with making any extensive observations in regard to my amendment, and that it would have been sufficient to refer you to the remarks that I made at the session of the 21st October, but I find it impossible to do so.

I must confess that after having read the minutes of that session I do not myself understand very well what I said on that occasion, or, to state more exactly, the language which has therein been put in my mouth. For instance, I was made to say that 2 miles taken in one sense differed from 2 miles taken in another sense. Such a thing never entered my head, and still less in the language which I used.

On the other hand, in regard to certain remarks which I casually made as to the manner in which precautions were taken in England to insure the efficiency of the lights, I observe that the minutes have not rendered in a sufficiently explicit manner what I wanted to say. I only intended to allude

in Conference to arrangements which are familiar to all its members, but which may be unfamiliar to those who read our proceedings. I therefore again explain my amendment.

In conformity with the views of a great number of mariners upon this subject, it seems to me that at sea it is necessary to be able to recognize promptly and at a considerable distance the nature of the vessel which is encountered.

By this I mean to say that it is necessary to know whether you are facing a sailing-vessel or a steam-vessel. I have shown that a sailing-vessel is a danger to a steam-vessel, which must manœuvre to avoid her, whereas the sailing-vessel continues on her course; that the sailing-vessel is also a danger to another sailing-vessel if we consider how difficult it is for the majority of these vessels to manœuvre in the night-time, by reason of the small number of men in the watch.

I admitted that it was important to make known the presence of this danger moving on the surface of the water, doing nothing to avoid a collision. I also maintained that the system of lighting sailing-vessels was really insufficient, because the lights with which they are provided are coloured lights, and, as we all know, coloured lights are seen at a much shorter distance than white lights. On the other hand, it is unnecessary for me to say to an assembly consisting almost entirely of mariners that the list and the motion of rolling and pitching still further reduce the efficiency of this system of lighting. In consequence of such motion, the range and visibility of such lights may be still further reduced, and especially in small vessels they may alternately appear and disappear. We must also take sheering into account.

I admit that coloured lights can be seen 2 miles on dark but clear nights; but this is not the case in bad weather with a heavy sea, or even when the smoke of the lamp has obscured the lens, or when the wick needs trimming; in a heavy sea spray deposits salt on the lens. Generally, in the majority of sailing-vessels which are small, the side-lights are but a little distance above the water. Moreover, whatever precautions may have been taken in placing these lights, it happens only too often that they are hidden by the sails, and at the meeting of the 21st October I stated that such was the case; and I called attention to the fact that in England much attention had been given to placing the side-lights in such a manner that they should not be hidden by the sails. I quoted the "Instructions to Surveyors of Ships appointed by the Board of Trade," with which we are all familiar. I had in view paragraphs 81, 82, 83, and 84 of those Instructions when I spoke to you about the precautions taken in England.

I fear that the report of my remarks on that subject was not as intelligible as I had hoped would appear from my language, which I endeavoured to make very clear. I would add that, notwithstanding all the precautions which may be taken, it frequently happens that the lights are hidden by the sails, either by the sails flapping along the masts in a calm, or by the lower sails having been boarded more than usual. Moreover, it must be admitted that, aside from the Board of Trade—which is the most powerful organization of its kind in the world—there are many nations where the inspection of lights is much less strict, and where less attention is given to the concealment of the lights than to being able to carry all the canvas.

In my career on a man-of-war I remember three sailing-vessels with which we were in danger of collision, when, notwithstanding that a strict watch was kept, nothing was seen. But a few metres more the collision would have taken place, and each time we perceived that, chance alone had caused us to avoid it.

Many mariners admit that when Rules have been made for the lighting of steam- and sailing-vessels, the absence of white lights on sailing-vessels is not a happy solution. It is perhaps too late to turn back, for it is evident that if we give a different system of lights to sailing-vessels, and especially the white light, we will be obliged to change the lights of steam-vessels, and produce, for some time at least, some confusion. We have, notwithstanding, thought it our duty to call attention to this lack in the Rules of the Road, or, rather, in the principle which prevailed in the framing of those Rules. Sailing-vessels should have had a white light, and, if they had had it, it is certain that many collisions would have been avoided; this white light might have been simply a lantern placed at a proper height. This, especially, I think, is a conclusion which can be drawn from the loss of the "Oregon."

As a matter of fact the coloured side-lights are insufficient; they are often placed in a bad position on board small vessels, where they have the further inconvenience of being too near the water. I made all these objections in the Committee on Lights. All seemed to agree with me on that point. We even agreed on the subject that it was very desirable to give to sailing-vessels a system of lights which would enable them to be seen at a considerable distance. As to the disadvantage, we all recognized it, as is shown by the Report of the Committee. I will not take up the time of the members of the Conference by reading them a Report which they all have, and with which they are familiar.

There was no difficulty—by which I mean no difference of opinion—until the question was brought up of finding a remedy—that is to say, where to place the white light. Should it be placed on the bowsprit, in the foretop, in the cross-trees, or at the masthead? You will pardon me for entering into these details, the discussion of which took place in the Committee. I do not think that this is generally the custom, but I think I can do it so courteously as to be allowed to infringe the rule. As I said before, we were unable to find for the white light a place to which there was no objection. It is, therefore, a serious difficulty, inasmuch as experts cannot agree on the subject.

You will admit, however, that the present system should be changed, and that sailing-vessels should be better lighted. This is a valuable admission, when it is declared impossible to provide a proper system of lighting. I certainly had hoped for something better, but I must content myself with the adoption by the Committee on Lights of the admitted principle that sailing-vessels should have a system of lights which would render it possible to distinguish them at a considerable distance. By so doing I desire not to separate myself from my colleagues in the Committee, remembering, as I do, the perfect courtesy manifested by each of them in order to arrive at a thorough understanding. Like many of them, however, I am still convinced that the danger presented by sailing-vessels is such

that we must protect the steam-vessel and even the sailing-vessel, whatever may be the means employed.

I therefore withdraw my amendment, out of deference to the members of the Committee to which I belong, however small their majority may have been on the subject, and I admit that in a question of such a nature I must have the highest consideration for their learning.

The President.—The Delegate from France desires to withdraw the amendment?

Captain Richard (France).—Certainly, Sir.

The President.—If there is no objection the amendment will be withdrawn.

The thirty-third amendment, by the Delegate from Italy, was withdrawn, the Chair understands. The next question will be, therefore, amendment No. 24 (*a*), Article 6.

The amendment is as follows:—

"Article 6. A sailing-ship, under way, being towed, and a steamer being towed, shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry."

Captain Van Steyn (the Netherlands).—Mr. President, the learned Delegate from Great Britain has suggested some words in extra amendment No. 17, and I think that when they are adopted we will have no objection to putting them in this same Article.

The President.—Then your motion would be to withdraw this amendment?

Captain Van Steyn (the Netherlands).—If the other amendment be accepted.

Mr. Hall (Great Britain).—Mr. President, I move that we accept the principle of the Delegate of the Netherlands. But I would suggest that it would be more convenient if it should come, as we propose, under Article 1, "Lights for steam- and sailing-vessels," instead of under the Rule which is headed "Lights for sailing-vessels." It is merely a question of collocation, but I would submit that it would be more in order to have it come in under Article 1, because then it meets all of the Rules which follow, and includes steam- and sailing-vessels. If the members will look at extra amendment No. 17, it will be seen that it is an amendment of which I have given notice—to meet the case which was pointed out by the learned Delegate of the United States, and to provide for a steam-vessel being towed, and we have provided:—

"In the following Rules every steam-ship which is under sail, or being towed, and not under steam, is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam."

We have merely put in a declaration that a steam-vessel, when she is under sail or being towed, is to be considered a sailing-vessel, and she would then carry the lights for sailing-ships. I think this is the simplest way of meeting this point.

Mr. Goodrich (United States).—I think that is better.

Mr. Hall (Great Britain).—If so, I would move that we accept the principle contained in the amendment of the Delegate from the Netherlands; and, if I am in order, I move that we carry extra amendment No. 17 as soon as we adopt the principle contained in the other amendment. Then we shall get it in at the proper place under the Rules.

Captain Van Steyn (the Netherlands).—I accept that suggestion. I only mentioned it because extra amendment No. 17 was handed in a little late and our amendment came in ahead of it.

Mr. Hall (Great Britain).—We can take it up now, and then discuss the whole question.

Captain Van Steyn (the Netherlands).—Then I withdraw my amendment.

The President.—The Delegate from the Netherlands desires to withdraw his amendment. If there is no objection it will be so ordered. The question is on the discussion of extra amendment No. 17, Article 1.

Captain Mensing (Germany).—I would like to ask for information simply. I take it that the Delegate from the Netherlands understood this to mean "steamers" in the meaning of the Regulations. According to the Rules and Regulations, Article 1, it is stated that a steam-ship which is under sail and not under steam is to be considered a sailing-ship. Therefore I think it would be all right to have it in under Article 6. If a ship is under steam, but has lost her rudder or anything like that, and is being towed, it shows that she is to be treated as a sailing-ship. Now, then, amendment No 17, as I read it, is: "In the following Rules every steam-ship which is under sail or being towed, and not under steam, is to be considered a sailing-ship." If we take the case which has happened, not very frequently, where a steam-ship has lost her rudder and is being towed, she is under steam, but she would not fall under this amendment.

Mr. Hall (Great Britain).—I apprehend that there is really no difficulty about that. We say "every steam-ship which is under sail or being towed, and not under steam"—so we provide exactly for the case of a steamer being towed. But I apprehend that if a steamer were being towed, if she were using her own steam, she would have to carry her masthead-light as well as her side-lights. She would be a steamer proceeding under steam. Therefore, that would clearly bring it properly under Article 1.

Mr. Goodrich (United States).—Will the Delegate from Great Britain allow me to suggest that the idea contained in the remarks of the Delegate from Germany will be met, and the subject made a little more clear, if the words "or being towed" should be transposed, so that they will read: "In the following Rules every steam-ship which is under sail, and not under steam *or being towed*, is to be considered a sailing-ship"?

Mr. Hall (Great Britain).—I am obliged to the learned Delegate from the United States for that suggestion. I think it clears up a possible doubt which has been so ably pointed out by the gallant Delegate from Germany.

The President.—The Secretary will please read extra amendment No. 17, as amended.
The amendment is as follows :—

"Article 1. In the following Rules every steam-ship which is under sail and not under steam, or which is being towed, is to be considered a sailing-ship, and evory steam-ship which is under steam, whether under sail or not, is to be considered a ship under steam."

Captain Shackford (United States).—Mr. President, I would like to ask for information regarding the lights to be carried by a steam-ship when she is being towed under steam.
Mr. Goodrich (United States).—Any steam-ship which is being towed carries these lights.
The President.—The Secretary will please read the amendment again.
The amendment is as follows :—

"In the following Rules every steam-ship which is under sail and not under steam, or which is being towed, is to be considered a sailing-ship, and every steam-ship which is under steam, whether under sail or not, is considered a ship under steam."

Captain Shackford (United States).—Still, the case of a steam-ship under steam, being towed, is not clear.
Mr. Hall (Great Britain).—Mr. President, as a result of the suggestion of the Delegate from the United States we will have to add after the words, "every steam-ship which is under steam," the words, "and not being towed." It will be a consequential amendment, as a result of the suggestion which has just been made by the learned Delegate from the United States. Perhaps it would be well if he should have it in print. It will come up then the first thing on Monday morning. I will hand them a copy and move formally to amend in that way.
The President.—The Secretary will read the amendment as it now stands.
The amendment is as follows :—

"In the following Rules every steam-ship which is under sail, and not under steam, *or which is being towed*, is to be considered a sailing-ship, and every steam-ship which is under steam, *and not being towed*, whether under sail or not, is to be considered a ship under steam."

Captain Shackford (United States).—Mr. President, I would like to ask the honourable Delegate from Great Britain if he proposes that a steamer which is being towed, if she is under steam, shall carry the masthead-light?
Mr. Hall (Great Britain).—I understood that this case was to meet the suggestion of the Delegate from Germany and the observations of the learned Delegate from the United States, and to clear up any possible doubts that might exist in regard to the matter, so as to show that a steamer being towed should only carry such lights as a sailing-vessel, even if she were using her steam-power.
The President.—The amendment will be printed, and will go over until Monday morning.
If there is no further discussion on Article 6, the next amendment is the eighty-fourth, proposed by the Delegate from Siam.
Mr. Verney (Siam).—Before taking up the time of this Conference with this amendment, perhaps it would be advisable if I ask for the ruling as to whether this should come up before the Conference as a matter of principle—whether the Conference so desires; or whether it should be taken up as a matter of explanation and definition to be dealt with by a Committee which, I understand, is to be appointed afterwards. I do not want to take up the time of the Conference to discuss what is a mere matter of words, if it should be held that this is not a matter properly to come before the full Conference.
The President.—Will the Delegate put that in some definite shape?
Mr. Verney (Siam).—I would ask if I might be allowed to take the ruling on that subject as a point of order?
The President.—We will leave it to the sense of the Conference, whether it is desired to discuss this subject now or to postpone it for future action. The Chair hears no suggestion in regard to it.
Mr. Goodrich (United States).—I move that the subject be postponed for the present, and be referred to the Collocation Committee.
Mr. Verney (Siam).—I only want to know whether the Conference would consider it a matter of principle, which should be decided upon at once, or whether they consider it a mere matter of definition and of the meaning of words.
The President.—If there is no objection it will be placed before the Collocation Committee.
The next subject for consideration will be the nineteenth amendment, Article 7. The Secretary will please read it.
The amendment is as follows :—

"*Exceptional Lights for small vessels.*"

"Article 7. Whenever, as in the case of small vessels during bad weather, the green and red side-lights cannot be fixed, these lights shall be at hand ready for use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such a manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side. To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens."

Mr. Verbrugghe (Belgium).—Mr. President, I regret very much that Mr. Gray, the Chairman of the Committee on Lights, is not here. We finished our work last night, and the Report will very soon be printed. Very likely the Conference will have our Report before the discussion of this Article 7 is concluded. Our Committee deal with the subject of these lights. I would therefore propose that the discussion of this amendment be postponed until the Committee have presented their Report.

The President.—If there is no objection it will be postponed until the Committee on Lights for Small Vessels have made their Report.

Mr. Hall (Great Britain).—I suggest that all amendments dealing with Articles 7, 9, and 10 be postponed until we receive that Report.

The President.—If there is no objection it will be so ordered.

The next amendment is No. 20, Article 8. The Secretary will please read it.

"Article 8. A ship under 100 feet in length, whether a steam-ship or a sailing-ship, when at anchor, shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least 1 mile.

"All ships of 100 feet or upwards, when at anchor, shall carry two such lights, as follows, that is to say:—

"In the forward part of the ship, and at a height of not less than 20 and not exceeding 40 feet above the hull, one such light; and at or near the stern of the ship, and at such a height that it shall not be less than 15 feet lower than the forward light, the other of such lights.

"The length of a ship shall be deemed to be the length appearing in the certificate of registry."

Mr. Hall (Great Britain).—Mr. President, this is an amendment which we have the honour to propose, and which I mentioned when I introduced it to the Conference as being designed to meet the case of long vessels. We have accordingly proposed that a ship under 100 feet in length should carry the existing anchor light, subject to a proposition of the learned Delegate from Germany, to insert the word "forward" as he proposes after the word "carry" in the second line. With regard to vessels of 100 feet and upwards, we propose that they shall carry a second light aft, as is done in a great many inland waters and local waters in the United Kingdom, and where such lights have been found to be of very great value. I think most sailors are agreed that it is desirable, especially in these long vessels, that there should be some warning given that they are vessels of very great length, so that any vessel approaching them may be able to give them a wide berth, and avoid the risk of collision.

Therefore, I beg to propose this amendment in the words in which they appear in the print, subject to this change. The Delegate from Germany has given notice in the thirtieth amendment of a desire to introduce the word "forward." We think it is desirable in all vessels that the light shall be carried "forward," and as a matter of fact it is carried "forward" by vessels at anchor. But we think it is desirable to insert the word here. So I beg leave to move an amendment to the amendment as it now stands, or will ask my learned friend, the Delegate from Germany, to move to insert the word "forward." We shall be very glad to accept that amendment, and leave it for the Conference.

Dr. Sieveking (Germany).—I would like to say that we fully agree with what the learned Delegate from Great Britain has just said as to putting in the word "forward" as it occurs in the thirtieth amendment we have proposed. As to the remainder of this amendment, we also agree with the Delegate from Great Britain, only we would like to suggest that it would be better to say 150 feet instead of 100 feet: 100 feet would, perhaps, be making the length a little too low, because it would bring in a great number of vessels, brigs, &c., which are upwards of 100 feet in length, but which, we think, are sufficiently distinguished by one light only. Of course, it would not be a matter of importance to require small sailing-ships to carry the second anchor-light, and we think that it would be sufficient to let the second anchor-light commence only with ships of the length of 150 feet. I would like to move that as an amendment—150 feet instead of 100 feet.

Mr. Hall (Great Britain).—I am perfectly willing to accept that amendment. We see the point of the suggestion of the learned Delegate from Germany to substitute 150 feet for 100 feet in the first line of the Article, and in the first line of the second paragraph.

Mr. Goodrich (United States).—Mr. President, I desire, in connection with this amendment of the Delegate from Great Britain, to call the attention of the Conference to an amendment proposed by Captain Shackford, namely, the fifty-third amendment. The difference between the two amendments is this. The amendment proposed by the honourable Delegate from Great Britain provided for the exhibition of another white light on a long ship. The amendment proposed by Captain Shackford, with the amendments which I shall suggest to his amendment, provides for, or will provide for, the carrying of a white light on vessels of less than 150 feet in length, and of the carrying and exhibition of another signal, namely, a red and white light, 30 inches apart, the white above the red, on vessels over 150 feet in length. Captain Shackford, under this statement of mine, which I make by his authority, suggests to strike out the amendment which he has made, and to the first subdivision of this amendment add, to section (*b*), these words:—

"All vessels of over 150 feet in length to carry a white and red light 30 inches apart, the white light directly above the red, at the aftermost peak."

We have had no chance to frame an amendment as we desire to have it. The principle is this. In a vessel under 150 feet the white light now in use is to be shown; in a vessel over that length the white light is to be carried forward, as now, and an after-light, or signal, composed of a white and a red light, the white above the red, and 30 inches apart, is to be carried, perhaps, at the after-peak.

Captain Bisbee (China).—By the "after-peak," do you mean the gaff-end?

Captain Shackford (United States).—I mean the gaff-end.

Captain Bisbee (China).—There are many vessels which have not the gaff-end.

Mr. Goodrich (United States).—Put it in this way, "where they can best be seen."

The principle in the amendment of Captain Shackford is this. Confusion might arise by the presentation to an approaching vessel of two white lights. There is nothing by which the approaching vessel can determine the length of the anchored vessel, if you put up only two white lights. They could be taken for the white riding-lights of two separate vessels, especially when we come to vessels of 500 feet in length, which would be the length of four small vessels. There is danger, if these two white riding-lights are displayed, without a distinguishing characteristic in the after-light, that confusion may arise.

Of course it will be said that it is a very unusual situation for a 500- or 600-foot ship to anchor and be compelled to exhibit her riding-lights; but the fact that the subject has occupied the attention of the Delegates of Great Britain, and the care that has been given to the amendment, shows that there is a necessity for making this extra light. And if we are going to make an extra light, let us make a distinctive light which cannot be mistaken for anything else. You may say that, if the approaching vessel sees two anchor-lights, she will try to avoid both. Yes; but in a narrow channel, which may be 1,000 feet wide, with the sides not clearly distinguished in the mind of the mariner, when he sees two white lights 500 feet apart, he may think that he is within the line of safety if he goes half-way between the two lights, and that is what he would do if they were on two small sailing-vessels. Shall we not provide against that danger? You can easily do it by making a distinctive riding-light, a red and white light, which has no other place in the Code, so far as I remember. And if the red and white lights are used in any other part of the Code, we can take another distinctive light. But by all means let us have a distinctive light for these long vessels, which, under no circumstances, can be mistaken for the riding-lights of another vessel.

As Captain Shackford suggests, this grows more important when you consider the position of a vessel of that kind in a tide-way, when she is swinging at her moorings, with a strong tide running. I would say to the Delegate from Great Britain that perhaps if the rest of the Conference deem it wise to adopt the red and white lights, we can then formulate a Rule accordingly; but I should like to hear from the gentlemen of the Conference upon this suggestion of Captain Shackford.

Mr. Hall (Great Britain).—Perhaps, in answer to what has fallen from the learned Delegate of the United States, it is desirable that I should say a few words. I may say that these two anchor-lights have been carried by our vessels in our local waters for a long time. I have never heard of any danger having been caused by them, or of any risk having been caused by them, from their being mistaken for anything else but what they are. With regard to the proposal to put a red light and a white light aft, may I point out this? There are many places where a ship would come in among a great number of vessels at anchor, and he would see the red lights. He would take those for sailing-vessels under way, and he would have to manœuvre to keep out of their way among a considerable number of vessels, because he would think they were sailing-vessels under way. Therefore it appears to us that it would add to the danger to put the red lights up.

Upon this point I desire to call the attention of the Conference to the recommendations of the Committee on Lights, where they point out the extreme undesirability of altering the lights any more than is necessary. The white riding-light has been for many years the light for a vessel at anchor. This proposal is to alter that distinctive light certainly to a material degree; and I must confess that, so far as we are able to see, although we can see the object for which it is framed, we cannot help thinking that it would be dangerous, and that it is not an improvement on the suggestion that a vessel shall carry two white lights, as they do now in many of our local waters in Great Britain.

Captain Shackford (United States).—Mr. President, I am very sorry indeed to differ with the learned Delegate from Great Britain; but I do not see how it is possible for the red light with the white light under it, only 30 inches apart, to be mistaken for a vessel's side-lights. I am sure that vessels coming out of the dock of Liverpool—I know from actual experience of over fifteen years—find it is a very serious matter to distinguish about the lights. It is understood by the Delegates that vessels in the Mersey carry two white lights. Now, it is a very serious matter to know which one of these lights is on the stern and which one is on the bow. I am very sorry indeed to differ with the Delegate from Great Britain; but I do not see how it is possible that the red light with a white light under it, 30 inches apart, could be mistaken for the red side-light, especially as they are not moving.

Mr. Hall (Great Britain).—In answer to that, I would point out that we have endeavoured to provide for that by making the altitude of the after light different from the forward light, so that when a sailor sees a high light and a low light he will be put on his guard and will at once be led to suppose that it is a long vessel. I would refer to the fact, of which I am informed, that this double after light is shown in several foreign ports; and I have no doubt that some of the members of the Conference will be able to give us some information on that point.

Admiral Bowden-Smith (Great Britain).—I would like to say a word with reference to a suggestion which fell from the honourable Delegate from the United States. I do not doubt that he has found difficulties in regard to these lights, but having been attached to the Board of Trade Committee, I may say that I studied carefully the answers which came to the letters addressed to a great many merchants and ship captains at Liverpool, and I cannot remember one single letter which asks for the lights which the honourable Delegate from the United States seems to require. They all seem to be satisfied with the anchor-lights which we are now using.

Captain Mensing (Germany).—Mr. President, I would like to state that the second after light has been introduced for some time with great benefit, and we have had no collisions brought on by reason of these lights. I do not know of any case where a collision has been brought about or any mistake made because of these lights. Perhaps the honourable Delegate from the United States is able

to point out a few collision cases, which would of course be proof that these lights actually need alteration.

Captain Shackford (United States).—Unless I am mistaken I have heard a case referred to since we have been sitting here—since this Conference has been in session. It was some vessel at anchor in the River Scheldt, which had two lights, one on each end.

Mr. Verbrugghe (Belgium).—At present in Belgium there is only one light required. You are referring, I think, to the case that the honourable Delegate from Denmark cited, where they were red and green lights, local lights. That was not this case.

The President.—The question is upon the amendment of the Delegate from Great Britain. The Delegate from Great Britain has accepted the amendment of the Delegate from Germany to substitute 150 feet for 100, and to amend by inserting the word "forward" after the word "carry."

Mr. Goodrich (United States).—I suggest that it would be a better way to take a vote on Captain Shackford's amendment first, before we decide upon the other principle. I move an amendment to substitute the principle named in Captain Shackford's amendment for that proposed by the Delegates from Great Britain; that is, the use of a white light over a red light, 30 inches apart, or some other proper distance.

The President.—Does the Delegate from the United States move to amend this amendment?

Mr. Goodrich (United States).—I move to amend the amendment by substituting the principle of Captain Shackford's amendment No. 53. That will bring up the question as to which principle should be adopted.

The President.—Is the Conference ready for the question?

Captain Bisbee (China).—I would like to ask the Delegates from Great Britain if they have considered the question as to the advisability of having a third light between the two lights on a very long ship, so as to make a sort of triangle.

Mr. Hall (Great Britain).—Yes.

The President.—The question is upon the amendment of the Delegate from the United States; it will now be read.

The amendment is as follows:—

"That the Conference adopt in place of amendment 20 to Article 8, as proposed by the Delegate from Great Britain, the principle contained in amendment No. 53, viz., a distinctive second riding-light at the stern."

Mr. Hall (Great Britain).—We have a distinctive light at the stern. It should be a distinctive double light at the stern.

Mr. Goodrich (United States).—I will leave it a distinctive riding-light at the stern.

Mr. Hall (Great Britain).—We have a distinctive light at the stern. Make it a red and white light.

Mr. Goodrich (United States).—I will make it read "a distinctive red and white light at the stern."

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"That the Conference adopt in place of amendment 20 of Article 8, as proposed by the Delegate from Great Britain, the principle contained in amendment 53, viz., a distinctive red and white light at the stern."

The President.—The amendment has been again changed. The Secretary will please read it.

The amendment is as follows:—

"*Resolved,*—That the Conference adopt in place of amendment 20, Article 8, as proposed by the Delegate from Great Britain, the principle contained in amendment No. 53 of a distinctive riding-light at the stern different from the one at the bow."

Mr. Hall (Great Britain).—It is most important that the proposition, which is that of having a red and white light at the stern, should be before the Conference before we vote upon it, as that is the purpose of the amendment. Great Britain proposes a distinctive white light at the stern as well as forward. The Delegate from the United States proposes that there shall be a red and white light at the stern, and that ought to appear clearly in the question when it is put to a vote.

Mr. Goodrich (United States).—I will take the suggestion of the Delegate from Great Britain. Captain Shackford accepts the suggestion.

The President.—The amendment will be read again.

The amendment is as follows:—

"*Resolved,*—That the Conference adopt in place of amendment 20, Article 8, as proposed by the Delegate from Great Britain, the principle contained in amendment 53, viz., a distinctive red and white light at the stern."

The President.—Is the Conference ready for the question?

The Resolution moved by the Delegate from the United States was put to the Conference, and was lost.

The President.—The question now is upon the amendment of the Delegate from Great Britain, with the modifications accepted by him as suggested by the Delegate from Germany. The Secretary will please read the twentieth amendment.

The amendment is as follows :—

"A ship under 150 feet in length, whether a steam-ship or a sailing-ship, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least 1 mile.

"All ships of 150 feet or upwards in length, when at anchor, shall carry two such lights, as follows—that is to say:

"In the forward part of the ship, and at a height of not less than 20 feet and not exceeding 40 feet above the hull, one such light; and at or near the stern of the ship, and at such a height that it shall be not less than 15 feet lower than the forward light, the other of such lights.

"The length of a ship shall be deemed to be the length appearing in her certificate of registry."

The amendment was put to the Conference, and was carried.

The President.—The next amendment in order is No. 20 (*a*). The Secretary will please read it.

The amendment is as follows :—

"Article 8. A ship, whether a steam-ship or a sailing-ship, when at anchor, or under single moorings, shall carry where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light, visible all around the horizon at a distance of at least 1 mile."

Mr. Flood (Norway).—Mr. President, when I proposed this amendment to Article 8 (I beg to refer to the stenographic report for the date) I proposed that the heading to this Article should read as follows: "Lights of steam-vessels and sailing-vessels not under way," instead of "at anchor." That is omitted now, and I beg that it may be corrected. I have proposed to insert after the words "at anchor," or "under single moorings," or some words to the same purpose and intent, as I expect the Committee to be appointed, to alter the wording provided the principle should be accepted by this Conference.

My reason for proposing this amendment is that I consider vessels just as much an obstruction, particularly on a dark night, when they are moored to a buoy and swinging around with the tide and wind, as when they are at anchor, and, therefore, they have to show the same lights. This, I suppose, is the case in the harbours, under the Regulations of the different places. But I know of instances, particularly in thick weather, where vessels have made fast to floating buoys and remained there for a whole night during adverse tides without using the anchor-lights, as the captain did not consider that the ship was at anchor when moored to a buoy, taking the present paragraph literally. These are the reasons on account of which I propose that the wording should be altered so as to read "under single moorings," or something to that effect.

Captain Mensing (Germany).—I would like to ask a question as to what the honourable Delegate considers "single moorings" to be?

Mr. Flood (Norway).—I consider single moorings to be when a vessel is moored to a buoy, or something to that effect. I think that the words "under single mooring," or "moored to a buoy," would answer. I only want to bring in the principle, and leave the wording for more experienced men.

Captain Mensing (Germany).—I would like to say that perhaps it might not be necessary to insert the words, because a sailor, or a captain, or a seaman, when he reads that language in the Regulations, will try to find some meaning for the words, which perhaps is not very obvious. A ship is at anchor, as I take it, if she is attached to a buoy. She is attached and anchored to the ground. The only difference is that instead of being attached by her own chain cable to her own anchor she is bound to an anchor which is fastened by some other cable to the ground. I beg your pardon if I make any mistake, but I think that a ship is moored when she is held by two anchors. The question might come up whether such a ship would have to carry those lights. I think it makes really no difference, because a ship which is moored is always considered to be at anchor. I do not believe that there could be any doubt whatever that if a fishing-ship was not anchored by an anchor at all, but by a stone thrown overboard, she would have to exhibit the white light.

The President.—Does the Delegate from Norway desire to change the phraseology of the amendment?

Mr. Flood (Norway).—I am not particular about the wording at all. I only want something to be inserted there to explain that "at anchor" means also "moored to a buoy." That is the principle I am working for, and not the mere wording. I know of mistakes made in that way, and I can mention places—for instance, on Tybee Road I have known cases where a captain made a mistake and thought he was not allowed to show his anchor-light because he was moored to a buoy.

The President.—The only question is as to what "single moorings" means.

Mr. Flood (Norway).—I am very willing to withdraw the amendment with the provision that in the explanations which will follow they will mention that "at anchor" includes also vessels "moored." If the Conference thinks that is right I would be willing to withdraw the amendment and leave it to the Collocation Committee to provide a definition. The Collocation Committee will give some definition to these words "at anchor," and it will be fully satisfactory.

Mr. Hall (Great Britain).—Mr. President, I think it is very undesirable to add to these Rules any more than is necessary; and although I have heard with the greatest interest the statement of the honourable Delegate from Norway of the case of a captain who was in doubt as to whether or not he should hoist the anchor-lights—yet I would appeal to all seamen who are present in this room as to whether they themselves have the slightest doubt about the meaning of this Rule. It is a matter for sailors, I apprehend, to construe these words, and they are understood as well as any words used in the

whole nautical language. If so, I really do not think that we ought to encumber our Rules with more verbiage because it happens that there has been found a captain who could not understand what every other captain in the mercantile marine thoroughly well understands. By all means let us clear up all doubts which exist; but do not let us overload our Rules, unless there is some necessity shown for it.

The President.—The question is upon the twentieth amendment, moved by the Delegate from Norway, Mr. Flood.

Mr. Flood (Norway).—I will withdraw my amendment if my wishes can be complied with that the Committee will give an explanation of it. I really think it is not out of order to do that.

The President.—That is a conditional withdrawal which the Chair cannot entertain. No such Committee has yet been appointed, and the Chair cannot commit any Committee upon such a subject. Therefore, the withdrawal will have to be either unconditional or this amendment will have to be considered.

Mr. Flood (Norway).—As I see there is no sympathy for my amendment I am willing to withdraw it before it goes to a vote. I ask leave to withdraw the amendment.

The President.—The amendment is withdrawn by general consent.

The next subject for consideration will be the thirtieth amendment, Article 8. The Secretary will please read it.

"A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light of 12-candle power in a globular lantern, so constructed as to show a clear, uniform, and unbroken light visible all around the horizon."

Dr. Sieveking (Germany).—The thirtieth amendment is included in the twentieth amendment, submitted by the Delegate from Great Britain.

The President.—The next subject for consideration will be the fiftieth amendment, Article 8.

The amendment is as follows:—

"A ship, whether a steam-ship or a sailing-ship, when at anchor, shall carry, where it can best be seen, at a height not exceeding 20 feet above the hull, a white light in a globular lantern of a candle-power to be visible 2 miles, if the length of the ship does not exceed 120 feet.

"A ship of above 120 feet to 240 feet in length shall carry the anchor-light and stern-light at the same height, and above 240 feet, one light in the midships higher than the two other anchor-lights, forming a triangle with the other one, and all of the same candle-power."

Captain Van Steyn (the Netherlands).—I think we quite agree with the honourable Delegate from Great Britain, only we propose a different distance for the visibility of the lights. We propose to make it 2 miles. I think that 1 mile was adopted when vessels only ran about 10 to 12 knots an hour. Now, when they go 20 miles an hour, I think that a vessel at anchor ought to be protected by giving a visibility to the light of 2 miles. I think it is very easy for a white light to show that distance.

Mr. Hall (Great Britain).—The Delegate will remember, of course, that this is an all-around light, so that a vessel approaching would have no difficulty in seeing her if it is visible at a distance of 1 mile.

Captain Van Steyn (the Netherlands).—Mr. President, I think I had better postpone the consideration of this amendment until we have the Report of the Committee on Lights for Small Vessels.

The President.—Do you move to postpone the consideration of the amendment?

Captain Van Steyn (the Netherlands).—I move to postpone it until the Report of the Committee on Lights for Small Vessels comes in, to see whether it is possible to construct a single white light to show more than 1 mile. We think it is better to have it show 2 miles.

Mr. Hall (Great Britain).—Assuming that it is possible, I apprehend that the Delegate from the Netherlands would not propose to make every vessel carry an anchor-light which would be visible more than 2 miles. That would of necessity compel every other vessel to get a new light.

Captain Van Steyn (the Netherlands).—I think that nearly all white lights are visible at more than that distance, and these small vessels ought to be protected as well as the large ones.

The President.—The question is upon the amendment to substitute the distance of 2 miles for 1 mile.

The amendment was put to the Conference, and the Chair being unable to decide, the Yeas and Nays were called.

The vote resulted as follows:—

Austria-Hungary	Ay.	Japan	No.
Brazil	No.	Mexico	No.
Belgium	Ay.	Norway	No.
China	No.	Portugal	No.
Chile	No.	Russia	No.
Costa Rica	No.	Spain	No.
Denmark	No.	Sweden	No.
Germany	No.	Siam	No.
Great Britain	No.	The Netherlands	Ay.
Guatemala		Uruguay	
Hawaii		Venezuela	
Honduras		United States	Ay.
Italy	No.		

The President.—Four have voted in the affirmative, and seventeen in the negative, therefore the amendment is lost.

Mr. Goodrich (United States).—Mr. President, the reason for the little confusion which arose in the minds of the Delegates from the United States for a moment was this—I beg to call the attention of the Delegates from Great Britain to the fact that——

The President.—The question has been decided.

Mr. Goodrich (United States),—I am going to move a reconsideration.

The President.—Did you vote in the affirmative?

Mr. Goodrich (United States).—I think that does not apply to this case; but if it does, I will ask the courtesy of some member who voted that way to reconsider it. I suggest the reconsideration of Article 8 merely to propose this question. The last line of Article 8, thirtieth amendment, the amendment of the Delegate from Great Britain, which has just passed the Conference, provides for the riding-light to be seen at a distance of at least 1 mile. I would like to know whether it was the intention to leave the Rule as it stands now, and I will ask whether that is not a very short distance to show a white light?

Mr. Hall (Great Britain).—It is for a vessel at anchor.

Mr. Goodrich (United States).—What is the objection to making it longer, say 2 miles? You can see any white light 2 miles.

Mr. Hall (Great Britain).—Because we have found no difficulty whatever with the present riding-light, and all vessels are provided with them at the present time. There is no possible reason to make the change necessary.

Admiral de Spaun (Austria-Hungary).—I would suggest in regard to this Article that a 12 candle-power light would throw a light visible 5 or 6 miles.

Mr. Hall (Great Britain).—When candle-power is adopted as a standard, then of course, no doubt, the lights will be measured according to that standard; but we are not able to lay down as yet what the standard will be. I think when the standard is laid down it will increase the visibility of the light; but at present I do not think it isnecessary to alter the Rules.

Captain Sampson (United States).—Mr. President, I think the suggestion of the Delegate from Austria-Hungary was not quite understood. At the risk of being out of order I will repeat what he has said with regard to Article 8. In no other case which we have considered have we prescribed the candle-power of any light, and at this time here we have prescribed a candle-power for the riding-light.

Mr. Hall (Great Britain).—That amendment was withdrawn because the principle of candle-power was to be dealt with by the Conference.

Captain Sampson (United States).—I understood that the Delegate from Great Britain accepted the amendment of Dr. Sieveking contained in the thirtieth amendment.

Mr. Hall (Great Britain).—It was only with regard to the word "forward."

Captain Sampson (United States).—I did not understand that the other amendment had been withdrawn.

Mr. Hall (Great Britain).—We have agreed to pass Articles 9 and 10 until we receive the Report of the Committee on Lights for Small Vessels.

The President.—The next subject for consideration will be the thirty-first amendment, Article 11. The Secretary will please read it.

The amendment is as follows:—

"A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"Every ship exceeding 20 tons registered shall carry on her stern, and at the same height as her side-lights, an irregularly occulting white light so screened that it shall be visible over an arc of twelve points, that is to say for six points from right aft on each side of the ship and at a distance of at least 1 mile."

Captain Van Steyn (the Netherlands).—Mr. President, the reason why we propose to carry an occulting white light as a stern-light is to meet the prescription of the Rule as it stands now. When a permanent stern-light is not allowed to be carried, a white light or a flare-up light must be shown. I believe that there would be no objection to allowing steamers to carry such a light as is proposed by us in this amendment.

Captain Mensing (Germany).—I would like to ask the honourable Delegate from the Netherlands if he is able to point out to us any construction, not patented, which would be sure to act in the manner intended here, or be absolutely sure to go, say, for twenty-four hours. I think it is rather difficult to construct such a thing. I have had some little experience with occulting lights, and I know that these things are not so easy to do. Suppose that such a light has been invented, and suppose that it is patented. The inventor will say that it is all right. He says it shall not cost more than 50 cents, or 2*s*. He may act in good faith, but after a little while he will say, "This light now has become a rule; I have been making them, but I have found difficulty in doing it. I must change this light. I cannot make the old one because it is not reliable." Then he may put up the price to anything that suits him.

I would like to have the Delegate point out whether he is able to recommend any such light, which will work in this way and which may be kept on the deck of a ship, which is covered with spray, with water washing over it occasionally, and where there is no mechanic on board to keep it clear and keep it properly oiled. If, under all the circumstances, there should be a light which would fill all these conditions and at the same time cost us, say, 4 marks, to use my own money, I should like to see it. I must say also that the fewer signals and lights we have, the better it will be for every-

body. The white light is a dangerous signal all through these Rules as they stand now. I desire to avoid in these Rules anything which would lead to a complication of them.

Captain Van Steyn (the Netherlands).—In answer to my learned colleague, I will say that they showed me a light here in Washington City, and I would kindly request Captain Shackford to give an explanation of it, as he can do so better than I can.

Captain Shackford (United States).—I am very sorry I cannot give an explanation of it. But I saw the light, and I have no doubt at all the light could be made to work without any trouble for twenty-four hours.

Admiral Bowden-Smith (Great Britain).—I may point out, Mr. President, that this light was brought before the Committee on Systems and Devices, and I remarked there that it might be submitted to the Conference if the principle were agreed to. Therefore, unless the principle is agreed to I do not see much good in seeing the light.

The President.—The light is on exhibition in the front room now.

Mr. Goodrich (United States).—I desire to move the following Resolution :—

"*Resolved*,—That a Committee on Collocation of the Rules, to consist of seven persons, be appointed by the President."

Dr. Sieveking (Germany).—I would ask your permission to hand in an amendment for printing, which I did not get ready in time for the beginning of the morning session. It refers to Article 10.

The President.—By general consent it will be accepted.

The question now is upon the Resolution proposed by the Delegate from the United States, which the Secretary will please read :—

"*Resolved*,—That a Committee of Collocation of Rules, to consist of seven persons, be appointed by the President."

The Resolution was put to the Conference, and carried.

The Conference thereupon took a recess until 2 P.M.

After Recess.

The President.—The question now is upon the thirty-first amendment to Article 11. The Secretary will please read it.

Said Article is as follows :—

"A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"Every ship exceeding 20 tons registered shall carry on her stern and at the same height as her side-lights an irregularly occulting white light so screened that it shall be visible over an arc of twelve points ; that is to say, for six points from right aft on each side of the ship, and at the distance of at least 1 mile."

Mr. Hall (Great Britain).—Mr. President, before that amendment is put to a vote, I hope it will be discussed by the members of the Conference. It is a matter of very considerable importance. The proposal is that every vessel over 20 tons is to be obliged to carry an irregularly occulting white light. Now, I will not deal with the question of this being an occulting light at present. But I think it is a question which the Conference should consider and determine as to whether they should *make* every vessel carry a fixed stern-light. What we propose is that a vessel shall be *allowed* to carry a fixed stern-light, if she chooses. Most steamers have all the apparatus necessary for that purpose, and are sufficiently well manned to carry the light, if they choose to do so.

I think it is very desirable that the Rule should be permissory, to permit them to carry the fixed stern-light. But this proposal goes very much further than that. It is to *compel* every vessel under way at sea, exceeding 20 tons registered, to carry a fixed stern-light. It would certainly put a great onus upon small vessels at sea to compel them to carry a fixed stern-light, when that stern-light may not be wanted to be used except occasionally. What I venture to submit to the Conference is the proposition which we have had the honour to propose, and that is, instead of *compelling* every vesse to carry the light, which would include every vessel over 20 tons, that we should *permit* vessels, if they choose, to make it a fixed stern-light. It has been pointed out very forcibly in the Report of th Committee on Lights that we cannot make small vessels carry a fixed stern-light. It says :—

"It would be impossible for small vessels to carry it in this position in bad weather, and therefore it cannot be recommended that a white light fixed at the stern be made compulsory for all vessels, large and small, but there seems to be nothing in the way of permitting all vessels to show a white light from the stern permanently."

That is what we propose on the part of Great Britain, to allow vessels, if they choose, to carry a fixed stern-light, which they are not allowed to do under the Rules as they stand at present ; but not to compel all vessels to do it, because we find that small sailing-vessels of over 20 tons register cannot comply with the Rules, as the Committe points out. Therefore, we submit that, in regard to carrying a fixed stern-light, the Rules should be only permissive ; so that if vessels choose to carry it, that they should be allowed to do so, subject, of course, to conditions in regard to the number of points which it is to show on either quarter.

Then there is a second proposition. The second proposition to my mind certainly is objectionable, and that is that every vessel is to carry an occulting white light. I shall say nothing about that light which is exhibited in the front room, because I have not examined it myself; but I apprehend that it is our duty first to discuss questions of principle. We are not here to discuss or advocate the rival claims of patentees; we are not here for that purpose. We are here to discuss the principle whether or not a stern-light is to be fixed, and, if so, what that stern-light should be. I say that unless the Representatives of foreign Powers have made experiments with occulting lights, so as to satisfy themselves that they can be carried, and that there are occulting lights not liable to get out of order, it would certainly be very premature for us to vote in favour of an occulting light.

I can only say on the part of Great Britain that we have not found an occulting light which satisfies the conditions which we think necessary before we could agree to use it. So far as we are concerned we cannot agree, no matter what the merit of any particular invention may be—we cannot agree to compel all vessels to carry an occulting light when we are not in the possession of sufficient data in regard to such a very important matter. I will only add that this proposition is very much against the Report of the Committee on Lights, which points out the difficulty and objection to making vessels carry additional lights. If we were to pass this Rule we would compel every vessel to carry such a light, many of the small vessels not being fitted with anything of the kind at the present time.

Mr. Goodrich (United States).—Mr. President, discussing the subject in the same way as has been done by the learned Delegate from Great Britain, first on the principle of carrying a fixed light on the stern, let me say, the Committee on Lights, in their Report in the paragraph preceding that just cited by my learned friend the Delegate from Great Britain, on p. 10, say:—

"Amongst the literature placed before us there are some papers proposing a stern-light fixed near the stern on the taffrail or thereabouts. Such an arrangement would possess some advantages, and would make it less necessary to look out astern for overtaking ships in order to show them the white light required by Article 11."

The Delegates from Great Britain go so far as to admit the correctness of this principle, when they say that they would give permission to vessels of over 20 tons to carry this light; that they would give an option to such vessels to say whether they would have a fixed light or a light which could be shown on occasions as required by the present Rule. Now, if that concession be made, it seems to me that the Delegates admit the propriety of a stern-light or admit the value of a stern-light; and it may be said, in the language of the Report just cited: "It saves the necessity of a look-out astern." To impose upon small vessels a look-out astern in addition to a look-out forward puts upon them a considerable burden, because on small vessels, say of 100 or 200 tons, there are ordinarily a wheelsman, a look-out, and an officer on deck.

Now, if it be considered that the wheelsman may look out astern, I say at once, no; the duty of the wheelsman is to have his eye upon the compass and to pay strict attention to his steering and do nothing else. So the look-out on the bow is bound to pay attention to his duty and look out on the bow and do nothing else. The present Rule admits the necessity of having something astern to show to an overtaking vessel. Of course, the Rule says only at times of danger, when the vessel is overtaken; but the principle is the same, as to the necessity of showing to an overtaking vessel a light astern. The question before the Conference is whether that shall be left to the vigilance of the man at the wheel or the officer on the deck; or whether it shall be a fixed light which shows itself to an overtaking vessel, irrespective of the diligence or attention of any man on board the vessel.

We have, then, agreeing as to the necessity of this light, the old Rule and the amendment as proposed by the Delegate from Great Britain. Now, to come to the question of the compulsory or permissive character of this Rule; I am very heartily and seriously opposed in this, as in all other Rules, to anything of a permissive nature; and upon that I shall have something to say when we come to Article 19. Let us make distinct Rules which the sailor knows he must obey, and we will escape any difficulty into which the contrary course would lead.

Now, as to the question of this occulting light. I am told by one of my colleagues, and I do not speak of the lantern in the other room, for I have not even examined it and do not know anything about it—I am told than an occulting light can be made by simple clock-work machinery for 83 cents, and the question was raised with the gentleman who made the statement to me, Captain Norcross, that it would be made of iron or steel, or something which would rust and get out of order. Of course, the answer is that it could be made of brass at a very slightly increased expense. I am told by my colleague that he has carried a clock in the vicinity of his binnacle light, in which the works have run for years, and the machinery is in just as good condition to-day as it was when it was put into the vessel.

I have in my own mind a recent case not yet presented to the Courts, which I want to mention as calling attention to the necessity of this stern-light, because I find that in concrete examples of what has already happened we sometimes can get more instruction than we can from mere theories and unsettled principles. I know of a case where a sailing-vessel was coming up the coast, a schooner with two or three masts, and she had her regular starboard watch on deck, consisting of three men, the look-out, the wheelsman, and the master. The master saw astern of him a green light on a vessel, and, in a certain sense, that was an overtaking ship; but thinking, because he saw a masthead-light and a green light, that the steamer would pass him on his port side, he paid no attention to her at first. When she got within a mile she suddenly showed both lights, and of course she was then clearly a vessel astern, overtaking in the worst sense possible. He immediately went to his cabin and got his lantern and lit it, and was coming on deck, perhaps a little delayed, when the steamer struck the schooner on the port side of the taffrail, and sliced off a section of the port quarter 15 or 20 feet long, and the poor fellow was taken off on that section and carried away and drowned.

That is as good an illustration of the necessity of carrying that light as could possibly be given,

for this reason, there was a vigilant officer on deck. That he had been looking out astern was proved by the very fact that he saw and called the attention of his wheelsman to the masthead and the green light of the approaching steamer. But thinking she was not going to hit him, because she was showing a green light, he saw no necessity for showing his white light. Now, if that white light had been at the stern of that vessel there would have been no collision, and if it had been fixed there would have been no collision, irrespective of the fact whether it was an occulting light or not.

Take the further principle which we have discussed here before. The Rule imposes upon a steam-ship a burden, and it imposes upon every overtaking vessel a burden, namely, the necessity of keeping out of the way; and if she runs down a vessel which she is overtaking, the law is to fix the penalty for the disobedience of that Rule. If that be the case, it is not asking too much that a sailing-vessel shall give to the steamer all the elements of knowledge within her power, even if it entails a little additional expense. I hardly know what the additional expense of keeping a single white light on a vessel is. The power of this lantern, the glass being white, is not very great. A very small lamp would be sufficient. I notice in the Memorial of Captain Holm, which has been here upon our table for some days, these words:—

"It appears simply ridiculous that the safety of ships, their passengers and crews, should be dependent on lights of so poor a description that even a common labourer would not be satisfied with them in his home."

If that be so, if the light which is necessary under this Rule is of so poor a quality that the labourer in his home would not use it, it would not be a very great burden upon a vessel which has a privilege that she should furnish a lamp to those who keep out of her way. It is for this Conference to take into consideration whether or not a vessel, having the safety of lives at sea at stake, should be compelled to furnish everything which, in the judgment of the Conference, will give safety, by giving notice to approaching vessels. I am very strongly of the opinion that there should be a fixed white light. As I said before, the old Rule practically agrees with this, except in the simple matter of expense, which is the difference between having a light to show when occasion requires it, and having a fixed light astern.

The Delegates from Great Britain, with all their care and the long experience which they have brought to bear upon this question, have determined that they must have a white light shown astern whenever occasion requires it. Go a little further, and wipe out the opportunity for negligence on the part of persons on board of a vessel, and take away from them the option of showing or not showing that light when occasion requires it, in order to obviate the necessity of having them as judges when such occasion occurs. Let us have a fixed light astern, either an occulting light or otherwise, so that overtaking vessels may see it. Of course, a question suggests itself to every man's mind around the table that there is a bare possibility that such a light might be mistaken for a riding-light, or even perhaps I may say, be wild enough to think it a poor masthead-light. Well, if it is, what would be the result? The white light is a sign that an approaching vessel must avoid it, whether it is a riding-light or a light astern.

Captain Van Steyn (the Netherlands).—Mr. President, I only want to add a few words to what I have said. I am not in favour of any invention, and we have proposed no such thing. This was a matter of discussion long before we came here, and I was quite astonished to find something here in the United States that met with our proposition.

Mr. Verney (Siam).—May I be allowed to quote an opinion which, I think, may have some weight with the Conference, with regard to the practicability of carrying a white light astern? I hold in my hand a letter sent to me yesterday by the President of the Pilots' Association of Baltimore, Captain Lewis, and he says: "I believe all vessels should be required to carry a stern-light, so as to show four points on each quarter and astern."

Captain Mensing (Germany).—Mr. President, I would like to say a few words on this matter, as it has been before the Committee on Lights. I need not say that this has claimed our most serious consideration, and that even the wording of the text, as we have produced it, has had something to do with it. I think that the learned Delegate from the United States has perhaps misunderstood it in one way. We have not said that we considered it necessary to have a look-out astern; but we simply stated that it was necessary to look out astern, and that therefore it was desirable on this account to have a light fixed at the stern.

Mr. Goodrich (United States).—Will the gallant Delegate from Germany allow me to make a suggestion right here, before he goes from that point?

Captain Mensing (Germany).—Certainly.

Mr. Goodrich (United States).—The law says that it is negligence not to have a look-out astern when a vessel is being overtaken.

Captain Mensing (Germany).—If the learned Delegate from the United States thinks that such an Article should be added here, making it compulsory to have a white light fixed astern, there would be no necessity for having a look-out astern. I think it would remain just the same, for a mere mechanical device is liable to get out of order, and every lamp is liable to be extinguished. I believe that all the gentlemen will agree with me that it is very difficult to keep a light lighted which is occulting. This is not a new idea at all. Such a lamp was proposed, I think, about a year ago by one of our nautical Societies in Germany; but all the other nautical Societies have been against this light because they did not see how we could make it answer the purpose, with the necessary machinery. I do not doubt that every practical sailor knows that his fog-horn will get out of order, and so will anything else of this nature that he has on board ship. As long as there have been no experiments made by any Government extending over eight or ten months to determine the practicability of such a light, I do not think there would be anybody in the world who would accept it.

I do not doubt that, as the learned Delegate from the United States has mentioned, it would be

most desirable to make laws that could be applied to all circumstances; but, as it states here in the Report of the Committee of Lights, it is simply impossible to place a light there. The lantern might be put in this place, and it might be knocked off or washed away by the sea. Anybody who has come across the bars in the vessels in the North Sea knows that the waves are so big that they will go over the stern of our largest passenger-ships. I can assure the learned Delegate from the United States that the waves will come over such ships, which are out of the water about 24 feet, even when they are going at full speed with the tide at a velocity of 20 knots an hour. The waves of the sea sweep all over their decks.

Now, I believe that the honourable Delegate from the Netherlands will perfectly agree with me that if you cross over one of those bars there is no light that could be fixed, in the way of a lantern, that would not be swept off. Fishing-boats and small freight-boats have to go with their hatches battened down before they enter these waters. Under such circumstances, how could you get a light to be carried there? I think that the case which the learned Delegate from the United States has quoted is not in accord with the Regulations, and I beg to differ with him that any Court would agree with him on that point.

Article 2 states that the lights provided by Article 11 shall be carried from sunset to sunrise. It has been stated that there might be difficulty here, but I do not think that, as the law stands, there can be any question but that the lights must be carried and lighted. We have talked about it, and it seemed to us that it could be nothing else but that this lamp which has to be shown occasionally and kept ready, for instance in a bucket, should be kept lighted all the time. That would do away with a great part of the difficulty which the learned Delegate from the United States has mentioned.

Captain Settembrini (Italy).—Mr. President, I beg leave to state that when we were considering Article 11, I proposed that this Article should be placed with or be incorporated in Article 3, sub-sections (*d*) and (*e*), because I thought that the carrying of the stern-light should be made compulsory for all kinds of vessels. But we must look to the small vessels, which are more numerous than the large ones, and which cannot carry so many lights. My opinion is that the former can be more easily overtaken, and compulsory stern-lights are necessary for them; still, I agree with the amendment of the honourable and learned Delegate from Great Britain, and I will withdraw my amendment and all others that have been subject to attention in consequence of the first one.

The President.—The amendment of the Delegate from Italy will be withdrawn.

Mr. Goodrich (United States).—Which amendment is that?

The President.—The thirty-second amendment.

Captain Richard (France).—Mr. President, I ask the Conference not to adopt the language of the proposition of our colleague from the Netherlands, and to adopt the language of the proposition as framed by the Delegate from Great Britain, "That the stern-lights shall not be obligatory." For my part I see the necessity for it in Article 7 of the Rule already adopted. By that Article in bad weather small vessels may dispense with the coloured lights. Can they then be compelled to carry the white light which is placed at the same height as the coloured lights?

I think that this law would be bad, because we must not make Rules which it would be impossible to enforce.

Mr. Goodrich (United States).—Mr. President, my friend, the honourable Delegate from Germany, asks me whether a Court would necessarily construe the requisitions of these Rules in such a manner as that it would require a small schooner to have a lamp lighted in order to show to a vessel astern. Is that the question that was propounded to me?

Captain Mensing (Germany).—I would just mention that in Article 2 it is prescribed with regard to these lights.

Mr. Goodrich (United States).—If the Delegates will look at these Rules they will find the three signals or words which, either together or in conjunction with other words, indicate the object of the requirement of the Rules. In Article 2, to which the Delegate from Germany refers, it says: "The lights mentioned shall be carried in all weathers." That includes the lights in Article 3 and in the Article under discussion. In Article 10 open boats and fishing-vessels are not obliged to carry a coloured side-light; but "every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on the one side, and a red glass on the other side." In other words, the lantern must be lit and ready. Now, if you come to Article 11 you will find an entirely different reading: "A ship which is being overtaken by another ship shall show from her stern to such last-mentioned ship a white light or a flare-up light." Do you carry a flare-up light ready and lit? Never.

That is just the difficulty in this Rule as it stands. It must be amended, or else you must change the language of the other Articles. The Rule says that "she shall carry," not ready at hand and lit, but shall carry "a white light or a flare-up light" in every case; and what applies to the one applies to the other. There is an opportunity for a misunderstanding by the sailor of these Rules, as will be seen from the fact that my learned friend and myself fail to agree about them.

Now, go a little further. My friend says that sometimes the waves astern sweep the stern of the vessel, and the light would be extinguished. True; but how quickly the man at the wheel or the master on the deck would see that the reflection of this light was absent, and that, therefore, the light was extinguished. Let the waves wash over the lantern in rare cases, when that occurs the light could be reprepared and reset without any great difficulty or without any great loss of time, and that applies, as my gallant and distinguished sailor friend on my left says, to every light. It applies to the coloured side-light; and if such a fact as that of the possibility of the light being extinguished is to govern us in these Rules which we are to make, we will have to construct a series of Rules on an entirely different principle.

Now, as to this question of the mechanism getting out of order. I am told that the lamp which was shown here in the room this morning, without the authority of the Conference, went out suddenly when in the quiet of this room and when it was being exhibited. It is not necessary to have a mechanism which shall turn down the light. You can have what they have on every lighthouse—a

hood that passes around with openings in it. That is only a mere matter of mechanism. I do not care about that. I do not care about the occulting light, except for the purpose of distinguishing the stern-light from a light at anchor; but I do say that we ought to put upon the privileged vessel any burdens, not too extensive—any reasonable burdens—which will notify the burdened ship of her presence.

Mr. Hall (Great Britain).—Mr. President, before referring to the observations which have fallen from the learned Delegate from the United States, I should like to refer for one moment to the observations of the Delegate from Siam, who has received a letter from a gentleman in Baltimore. Of course such observations are entitled to weight when coming from members of the Conference; but may I ask what is the use of such a letter in the face of the unanimous finding of the Committee on Lights? I understand that the gentleman to whom the Delegate refers is in favour of a fixed light carried astern on all vessels. But the Committee on Lights has pointed out that it is impossible to have anything of the kind, and therefore they cannot recommend it.

Now, which are we to pay the most attention to, our own Committee or a letter from a gentleman who writes from Baltimore, however high his position may be. With regard to the question of the possibility of the light being extinguished, I will refer very briefly to what has fallen from the learned Delegate from the United States. He says—which is perfectly true—that all lights are as likely occasionally to be obscured or knocked out; but this is a position, as is pointed out by the Committee—and I am speaking from the experience of all nautical men—where a lamp would be more liable to be obscured than in any other position on board the ship.

The Delegate from Germany has pointed out that a vessel coming in across the bar on certain rivers is very liable to be struck by heavy seas aft; and I have no doubt that is one of the reasons why the Committee which wrote this exceedingly strong Report reported against the advisability of a fixed light at the stern. I will not take up the time of the Conference with reading it at length: but they do report most strongly that, having regard to the impossibility of such a light being carried by all vessels, it is not advisable to recommend it; and they point out the desirability of making it permissory, so that where a vessel is big enough to do it she may carry the light. But you cannot ask small vessels to do so.

I would like to say one word more upon the criticism which has been passed upon the Rules. The learned Delegate from the United States says that we admit the value of a stern-light. We admit the value of this Rule as it stands. We admit the value of requiring a vessel which is overtaken to show a light or a flare-up, and we adhere to that position. But I hope it will not be supposed for one moment that any observations which I have used confine my opinion or the opinion of my colleagues to the value of a fixed stern-light only.

I will add one word in regard to the case cited by the Delegate from the United States as within his own experience. He has told us about a sailing-vessel being overtaken by a steamer, and has pointed out that the man at the wheel saw a green light, and I presume the masthead-light, of a steamer approaching him. He did nothing until finally the steamer showed her three lights, and then it was too late for him to get the lamp and light it and take the steps to warn that steamer. But I cannot help thinking it would have been only an ordinary precaution with most seamen when he saw a steamer astern of him, even when she was only showing a green light, to have had a lantern lighted, so that he could have shown it if necessary; and if that had been done the collision would have been avoided.

I have no further observations to make excepting this: The learned Delegate from the United States has pointed out that, if such an occulting light is not practicable, there might be a revolving light such as is used in lighthouses. But, can we ask all small vessels to carry such a light as that? We have had no information about what the expense of that would be, or what the bulk of it would be, and taking into consideration the fact that we are in the dark in regard to these occulting lights, would it not be unwise for us to adopt it? I hope that we shall not vote in favour of the amendment to compel vessels to carry any such light.

Mr. Goodrich (United States).—May I ask for information whether there is any limit in the amendment by the Delegate from the Netherlands as to the size of the vessel which must carry these lights? Perhaps the limit of 20 tons is rather too small a vessel to be compelled to carry the light. Perhaps they had better be larger, say, 50 tons and over, and that would perhaps obviate some of the objections

Let me say that the learned Delegate from Great Britain misunderstood me. What I said was that the amendment brought in by the Delegation from Great Britain, not the remarks of my learned friend, showed that in the judgment of the Delegation from Great Britain, as in the judgment of the gentlemen who framed the present existing Rule, there should be shown from astern, to an overtaking vessel, not necessarily a fixed light, but a light. The principle is established by the present Rule.

It is a very proper criticism which he suggests with regard to the conduct of the man on board the schooner, that he ought to have had his lamp lighted and ready at hand when the green light of the steamer was seen; but that only emphasizes my suggestion that there are cases where the negligence of a mariner results in collision.

Let us eliminate all question of negligence. If there had been a fixed light in that case there would have been no collision. If it had not been for the negligence of the mariner in failing to have his light lighted, and if it had been ready at hand, there would have been no collision. If there had been a fixed light or an occulting light or a white light showing astern, clearly there would have been no collision. I want to eliminate the question of negligence. If you cannot eliminate the dangers of the sea distinguished by that light, because the waves come over astern, still you may reduce them to a minimum and make them very slight, because I think that the stern of one of these little vessels is very seldom washed by a following sea.

The President.—Is the Conference ready for the question on the thirty-first amendment? The Secretary will please read the amendment.

The amendment is as follows:—

"A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"Every ship exceeding 20 tons registered shall carry on her stern, and at the same height as her side-lights, an irregularly occulting white light, so screened that it shall be visible over an arc of twelve points; that is to say, for six points from right aft on either side of the ship, and at a distance of at least 1 mile."

Mr. Hall (Great Britain).—Mr. President, I think that I would be in order if I should ask you to allow me to follow the precedent made this morning when we proposed an amendment and the Delegate from the United States moved his amendment, which was subsequent in order and in date, as a substitute for ours, and the vote was taken upon his amendment as a substitute. I therefore move our proposition, which has been referred to, as an amendment to this one, and I ask that our amendment making the carrying of the light permissory be taken as an amendment to the amendment of the Delegate from the Netherlands. That course was followed this morning when the amendment of the Delegate from the United States as to the question of red and white lights was put to a vote first, although our amendment as to two white lights was the amendment before the Conference.

I therefore beg to move our amendment making the carrying of a stern-light permissive as an amendment to the amendment which is before the Conference, so that we can first of all express our opinion as to whether or not it should be permitted to carry such a light. If that be carried, then it disposes of the mandatory amendment. I think I am in order in making this motion, because I am following the precedent which was set this morning.

Mr. Goodrich (United States).—Mr. President, let me ask the Delegate from Great Britain whether he would be willing to add, after the word "fixed," the words "or occulting," so as to give a permissive character to the occulting light as well as to fixed lights?

Mr. Hall (Great Britain).—No, Sir: I am sorry to say that I cannot agree to that on behalf of my colleagues and myself, because I have expressed myself as clearly as I can that we think it would be a most dangerous thing to agree to permit an occulting light to be carried when we are all of us practically in the dark as to whether such a light will be of any use or not. There is not a single Delegate present, I believe, who can tell us that he has been present at experiments which have been made on behalf of any nation or Power—I am not speaking of private patentees or manufacturers—but there is no gentleman present who can tell us that there has been any experiment made with regard to this occulting light, publicly; and I would be very much astonished to know of any such experiment. Now, in view of the lack of any data on the subject, we could not vote to put in the word "occulting."

Mr. Goodrich (United States).—Mr. President, this seems to me to be a very good opportunity for the Conference to express its opinion upon the permissive use of the occulting light; and in order to test that question, I move to insert, after the word "fixed," the words "or occulting," in the proposition of the Delegate from Great Britain.

Mr. Hall (Great Britain).—Then I apprehend that the order will be that we shall first of all take a decision whether or not the carrying of such a light shall be permissive or mandatory.

Mr. Goodrich (United States).—I should think not. I should think that the first motion is the amendment to your amendment. It is immaterial to me. I do not care about the order at all.

Mr. Hall (Great Britain).—I will point out that we are putting the cart before the horse, if we deal with the question of occulting lights before we deal with the question as to whether or not such a light is to be carried at all. Let us decide whether it is to be carried, and then decide what that light is to be.

Mr. Goodrich (United States).—I think my friend is wrong, for this reason. The vote is not now whether we shall have a fixed light or not. The question simply is whether my amendment, proposed to his amendment, shall be considered by the Conference; that is, to make the question of having the occulting lights permissive.

Mr. Hall (Great Britain).—I have no objection to the question as to whether the occulting light should be permissive or not, and that this be put to the Conference now as a question.

The President.—The motion is on the amendment to the thirty-first amendment. The Delegate from the United States proposes to amend that amendment with regard to the occulting light.

Mr. Goodrich (United States).—By adding the words "or occulting" after the word "fixed." I desire to call the attention of the Delegates to the fact that a vote upon this Resolution does not establish the principle that this occulting light must be carried; but after this Resolution has been passed you then take up the question upon the permissive character of the Rule.

Mr. Hall (Great Britain).—I hope the members of the Conference will remember that we are asked to sanction the use of a light at sea about which we have no data and no information, and about which no public experiments have been made.

Captain Salvesen (Norway).—Mr. President, the word "fixed" in the amendment of the learned Delegate from Great Britain means fixed to the vessel, and has no reference to whether the light is occulting or "à feu fixe."

Captain Sampson (United States).—Shown at all times.

Mr. Hall (Great Britain).—The word "fixed" is purposely introduced in contradistinction to the word "shown," so that, instead of merely showing the light, it may be absolutely fixed so that it may be always visible.

Mr. Goodrich (United States).—Let me say one word, because my learned friends and I do not differ upon the principle. I take it that if no experiments have yet been made upon the question of an occulting light, no sailor will carry an occulting light until he is satisfied that it is working properly.

On the other hand, if we adopt this Rule providing for the permissive character of the light without providing for the occulting light, there will be no opportunity of testing an occulting light—no public opportunity. Give the sailors the right to carry either a fixed or an occulting light if you are going to make the Rule permissive at all, which I shall argue against presently. To give to a fixed light astern, which never has been carried——

Mr. Hall (Great Britain).—I beg the Delegate's pardon. It has been carried by large ships to an enormous extent. Every sailor here knows that they have been carried on large ships to an enormous extent.

Mr. Goodrich (United States).—Is it not against the law to carry on the sea?

Mr. Hall (Great Britain).—It is doubtful, and, therefore, it is to remove the doubt that we have proposed this amendment. We know that steamers do carry the light, but it is doubtful whether they are not contravening the law by carrying it in a fixed position, and we introduce this amendment for the purpose of enabling them to carry it there, if they choose.

Mr. Goodrich (United States)—My friend, Captain Shackford, makes the suggestion to me, which I would rather he would put in shape himself, for he would do it better than I can, that my learned friend from Great Britain says that these lights have not been experimented with.

Mr. Hall (Great Britain).—I said publicly.

Mr. Goodrich (United States).—Neither had the standard coloured side-lights been tested by any authority before they were adopted here in this country. Indeed, in spite of the fact that a section of the Revised Statutes of the United States provides for the examination of these lights by a Collector of Customs before the vessel goes to sea, in spite of that fact no examination has ever been made. If it were deemed safe to adopt these lights and cause them to be carried by positive Regulations, it does seem to me that no harm could come from putting a fixed light or an occulting light astern, and letting us see what the result will be.

Mr. Hall (Great Britain).—The Delegate will remember that the United States did not adopt these coloured lights until they had been in use for a great many years by the European Powers. I think he will find that the United States adopted them practically after all the European Powers, and so they had the best possible proof of their utility, and it was not necessary for them to make the test in this country.

Captain Richard (France).—Mr. President, I must state, in so far as concerns trials with coloured lights, that, before their adoption was rendered compulsory in my country, there were a few vessels which carried them fo rsome years, and that this system of lights amazed everybody to such a degree as to lead all to think that with such a system there would hereafter be absolute protection from collision.

The President.—Is the Conference ready for the question of inserting the words "or occulting," after the word "fixed," in the thirty-first amendment?

Captain Malmberg (Sweden).—Mr. President, I do not think it is right to insert in the amendment the words "or occulting" after the word "fixed," because fixed does not apply here to the "light." The word "fixed" here applies to the place where the light shall be put, and it is not intended to make a distinction between fixed and occulting lights. If you will read the Article you will see that is the meaning.

Captain Norcross (United States).—In speaking of lighthouses we use terms to distinguish them. We call them fixed, revolving, or flash lights.

Captain Sampson (United States).—The fixed light refers to its position, and it might be a fixed light or an occulting light.

The President.—The question is upon the amendment as offered by the Delegate from the United States.

The amendment was put to the Conference, and lost.

The President.—The question now is upon the amendment of the Delegate from Great Britain to the amendment of the Delegate from the Netherlands, by a substitution of the thirty-fourth amendment for the thirty-first amendment proposed by the Delegate from the Netherlands.

Mr. Hall (Great Britain).—Perhaps before that is put to a vote I may save the time of the Conference by saying that this is really the same amendment as that of the gallant Captain from Italy; and I think it would be desirable to add, if the light is to be fixed, that it shall be visible at a certain distance. If the Conference thinks it will be less complicated to take a vote on the question as it stands now, I will move to add the distance at which the light shall be visible afterwards. It would, perhaps, be more convenient to put the question to a vote now. I merely wish to give notice that I propose to add to it the distance of visibility afterwards.

Mr. Goodrich (United States).—Mr. President, the adoption of this as a substitute for the amendment proposed by the Delegate from the Netherlands clearly will have this effect. I simply call the attention of the Conference to it. The principle contained in the amendment of the Delegate from Britain is that the light *may be* carried; in other words, it is a permissive Article. The amendment of the Delegate from the Netherlands is of a mandatory character, that the light *shall* be carried. I simply call the attention of the Delegates to the fact that, by their vote upon this question, they decide a principle which shall govern this stern-light. It is a vote not upon the question to substitute the amendment of the Delegate from Great Britain for that of the Delegate from the Netherlands, but upon the principle whether there shall be a permissive light or a mandatory light.

Mr. Hall (Great Britain).—I quite agree with what has fallen from the learned Delegate from the United States, who has stated the proposition most accurately. I will only say this, that we propose by this amendment to allow all steamers to carry the light, if they choose to do so; but not to compel small vessels to carry them, which it would be impossible for them to do.

The President.—The Secretary will please read the amendment again for the information of the Conference. The amendment before the Conference is the amendment of the Delegate from Great Britain, No. 34.

The amendment is as follows:—

"A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

"The white light required to be shown, by this Article, may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw a uniform and unbroken light over an arc of twelve points, that is to say, for six points from right aft on each side of the ship.

"Such lights shall be carried as nearly as possible on the same level as the side-lights."

The amendment was put to the Conference, and carried.

Mr. Hall (Great Britain).—I propose, Mr. President, to add to this a range of visibility. I think it is desirable, if this is to be a fixed light, that the range of visibility should be established at a certain distance. Therefore we propose to add these words, after the word "ship," in the sixth line: "and so as to be visible on a dark night, in a clear atmosphere, at a distance of at least 2 miles."

Captain Van Steyn (the Netherlands).—Mr. President, may I draw the attention of the members of the Conference to the fact that the distance of 2 miles was rejected a few moments ago when we were speaking of the masthead-light; and now this light, which is very much lower to the water, is to have the same visibility?

Mr. Hall (Great Britain).—I will point out this. This is a light on which we can use reflectors. It is different from an all-round light. I dare say that what misled the Delegate from the Netherlands was the word "uniform," which should be struck out. I was in hopes that the Delegate from Siam would move to omit the word "uniform," but I think that the word may be struck out, in conformity with the motion of the Delegate from Siam. I will move that the word "uniform" be omitted.

The President.—The Delegate from Great Britain has moved an amendment to strike out the words "uniform and."

Captain Sampson (United States).—I would like to ask if this limited visibility applies to all lights to be shown under this Rule?

Mr. Hall (Great Britain).—Only to the fixed light; not, of course, to the lights to be shown f om the stern of a small vessel.

Captain Sampson (United States).—Then, the result of that is that a ship which carries a fixed light must show a light visible a greater distance than a ship which only shows a light when occasion requires.

Mr. Hall (Great Britain).—If we give the permission to vessels to carry a fixed light, if they choose to do so, then it is certainly desirable that we give them permission or require them to carry a proper light. The distance is the same as with regard to the side-lights.

Captain Sampson (United States).—I am very much in favour of the distance; but it seems to me that this is only an argument for having that light there at all times, because if it is desirable that it should be seen at a distance of 2 miles, and in the opinion of the Conference only such a light can be seen that distance—the light that is to be *shown* cannot be constructed so as to be seen as far as 2 miles—then the light ought to be there at all times.

Mr. Hall (Great Britain).—I will point out that the Conference has determined that by its vote. The question now is only as to how far that light shall show, if a vessel chooses to carry it. We apprehend that if it chooses to carry such a light as that, it is not a hardship on her to say that it shall be visible 2 miles.

Mr. Goodrich (United States).—Mr. President, I desire to be consistent in my voting upon this question. I oppose very heartily the Rule as it now stands, because it contains a permissive principle instead of a mandatory principle, and such a permissive Rule creates confusion. It does not make the Rules of that absolute character which a sailor ought to have at hand, in order to make everything fixed and determined. That is a principle by which I have thus far endeavoured to guide my vote, and I simply say that my own judgment is very much against a permissive character for this Rule.

The President.—That question has already been decided, and is not before the Conference.

Mr. Goodrich (United States).—I thought the question now was upon the adoption of this Article.

The President.—Your argument now is not in order. The question in regard to the distance is now before the Conference.

Mr. Goodrich (United States).—Has not that amendment been accepted?

Mr. Hall (Great Britain).—It has not been put to a vote.

The President.—The question now is upon the amendment of the Delegate from Great Britain.

Mr. Flood (Norway).—Mr. President, I am greatly in favour of the stern-light, as already shown by my vote; but I very much wish that the distance could be lowered to at least 1 mile. It does not prevent bigger ships from carrying a light, say, 2 or 3 miles: but we must remember that there are many small vessels which would like to carry this light and cannot carry lights to show the distance of 2 miles. I very much wish that it could be reduced to at least 1 mile, because that would cover all ships, both small and large.

The President.—Does the Delegate from Norway wish to amend the amendment so as to make it read 1 mile instead of 2?

Mr. Flood (Norway).—No, Sir; I do not wish to propose an amendment. I only wish to throw out my thought, and if it is supported I would like very much to have an amendment for that purpose.

Captain Malmberg (Sweden).—For my part I will support the amendment made by Mr. Flood, from Norway, because, as he says, very likely it will induce smaller vessels to have a stern-light fixed, if the range of that light is put as low as 1 mile. It would be very easy for them to comply with

that Rule; but they will not comply with it if they have to go to the expense of buying a larger lantern, with reflectors fitted to it, which would show 2 miles. I am very certain that larger vessels will have no difficulty at all in making their lights show 2 miles; but you will induce more vessels to carry the light fixed by making the distance 1 mile than by providing that it shall be visible at least 2 miles.

Mr. Hall (Great Britain).—My colleagues and myself both see the great force of the observations which have fallen from the Delegate from Sweden; so we are perfectly willing to accept an amendment to that effect. If the honourable member from Norway will move an amendment, we will accept it, or we will put it into our proposition, and make the visibility at least 1 mile instead of 2 miles.

The President.—The amendment of the Delegate from Great Britain to the amendment of the Delegate from the Netherlands was adopted. The amendment now is upon the adoption of the thirty-first amendment as amended.

The amendment was put to the Conference, and carried.

The President.—The next amendment is the fortieth. The Secretary will please read it.

Mr. Hall (Great Britain).—Mr. President, perhaps you will allow me to mention that, with regard to the proposal which has just been carried, it is very difficult to carry the provisions of all the amendments in one's head, and I find that in the proposal of the gallant Delegate from Italy he gives the distance as 1 mile, as the Delegates will see, and that is what we have adopted.

The President.—The Conference has adopted the amendment that the visibility is to be 1 mile instead of 2.

The next amendment is the fortieth. The Secretary will please read it.

The amendment is as follows:—

"Article . Every ship may at any time, in addition to the lights which she is by these Regulations required to carry, show a flare-up light or use a detonating signal to attract attention.

Mr. Hall (Great Britain).—Mr. President, perhaps it might be more convenient for the Conference if we were to exhaust the amendments dealing with overtaking vessels before we proceed to the consideration of this. The Delegates will see that this is not an overtaking Rule. It will be a new Rule. Probably it will come in after Article 11; but that is a matter of collocation. I think it would be more convenient to deal with all the amendments to Article 11 before we proceed to discuss a new Article. If so, the next Article in its order would be the eightieth amendment.

Mr. Goodrich (United States).—Mr. President, upon reading the Rule I have had some consultation with the learned Delegate from Great Britain in regard to the principal points of that Rule in which I was interested, namely, as to that clause which affixes a penalty, which I deem a very advantageous provision in a set of Rules like these Articles to be used at sea. But the learned Delegate suggests that is a matter which should not be inserted in the International Rules, but should be left to the Legislatures of the several countries, when they adopt the Rules; so that an American ship, for instance, should not be punished in a British Court, nor a British ship in the American Court. Therefore I withdraw the amendment, with the permission of the Conference.

The President.—The eightieth amendment is withdrawn by general consent. The next amendment is No. 11. That has been practically settled.

Mr. Hall (Great Britain).—Mr. President, I would move now that the new Rule which we have just passed over should be taken up in its proper order. What we propose is that every ship may at any time, in addition to the lights which she is by these Regulations required to carry, show a flare-up light, or use a detonating signal to attract attention. I think this will be of great use to sailing-vessels. But we propose it as of assistance to both sailing-vessels and steamers. It may be of advantage to steam-vessels, because, if by any chance the side-lights should be obscured, as has been pointed out by the Delegate from France has occurred in many instances, then the steamer will have the additional assistance of the flare-up light or the detonating signal to make her aware of the presence in the vicinity of a vessel out of the way of which she has to keep.

Mr. Goodrich (United States).—I would like to ask the Delegate from Great Britain whether he thinks the flare-up light is of any use in that Article. You are required under the Rules to show a light of some kind to an overtaking vessel; but it is a very grave question to be considered whether to show a flare-up light to a vessel approaching forward of the beam is advisable. The difficulty, as it strikes me, is that it extinguishes the coloured side-lights. The detonating signal is good, in my judgment; but there is a question in my mind whether it is right to use a flare-up light which will extinguish the coloured side-lights.

Now, going back to the legislation of the United States upon that subject, we had in the Rules as they were adopted in 1873 this provision so far as the flare-up lights were concerned, but it was generally condemned at that time; so much so that when England adopted the Rules of 1879 we very quickly fell in with them and adopted what seems to me to be a better Rule, namely, to show a light to a vessel approaching the stern and not to show a flare-up light ahead, and so extinguish the coloured lights. I suggest to the Delegate from Great Britain that this is perhaps worthy of consideration.

Captain Mensing (Germany).—I have found a little difficulty in the meaning of the expression, "a flare-up light." I do not know whether this term means the same in every country. The term, as we use it, indicates a stick with oakum at the end of it, which is inserted in turpentine or petroleum and then lighted. It is obvious that this would give a very bright light, lasting only a short time, two or three seconds, and making it a very distinctive light. It is very bright, it is very white, and it lasts a very short while. A lighted torch, I think, could very easily be mistaken for what we call blue-lights, such as are used to call pilots. I think it may be, perhaps, advisable to give a definition of the words "flare-up light." As I say, in Germany it means a stick to which some oakum is attached, and this is dipped into turpentine and lighted.

Captain Shackford (United States).—Mr. President, what is used in this country is a wad of very fine wire bound together, perhaps as large as my two fists. This wad of wire is riveted into an iron handle and is dipped into turpentine and lighted. It lasts about a minute. I know from actual experience when you are going along at sea and see a vessel's side-lights, and all at once somebody on these vessels wakes up and lights a flare-up and obscures the side-lights, that you do not know whether the man has put his helm hard up, or whether he is keeping his course, or whether he is changing his course.

Mr. Hall (Great Britain).—We have had the words "flare-up" in the Rules, and I am glad to find there is a consensus of opinion as to what a flare-up light means. We proposed to adopt this signal so that it could not be confused with a signal of distress. We have been very anxious to choose a signal which would not be mistaken for a signal of distress or which would be misleading, and for that reason we chose the ordinary flare-up light which is used now and which we know is used very frequently at sea.

Admiral Bowden-Smith (Great Britain).—May I just point out that from time immemorial our men-of-war always keep a gun loaded which we let off pretty quick if we think that anybody wants waking up? I think that most men-of-war do that same thing, and that, I think, was our intention when we introduced this signal. I wish to bring to the attention of the Conference the great importance of making a noise as well as a light, because if the people are all asleep they will be wakened by the noise, but will not see the light. There is a very ridiculous thing which I noticed in a report of a trial which I read some time ago. There were two ships in collision. The argument was that the sailing-ship had kept a bad look-out, and that the ships had got close together before they saw each other. When they asked the steamer about it, they said that there was nobody on the deck of the sailing-ship but one man, and that he was at the wheel, and he was asleep. Then I think the Judge asked what they did on board the steamer, and the man said, "We took up some lumps of coal and threw them."

Captain Richard (France).—Mr. President, I am pleased that the definition of the sense of the word "flare-up" has been demanded in this Conference. In France we content ourselves with understanding "flare-up" to be an intermitting light; and to use it we employ a lantern with which occultations are produced as with the Colomb lantern. There is generally no apparatus connected with this lantern to occult the light, which is produced by means of a cap or a hat or any other article.

Now, I have but one objection to make to the Rule proposed by the Delegation from Great Britain, and that is, against a detonating signal; not that I deny its value, but I think that something should be specified in the Article for a signal which cannot be mistaken for a distress signal. This seems to me important, not only for the high seas but also near the coasts.

Mr. Hall (Great Britain).—I would point out that the difference is that there would be merely one firing or perhaps two firings of the gun to call the attention of the vessel to her, and she would not keep on firing it so as to bring vessels to the rescue, as in the case of signals of distress.

Captain Richard (France).—Mr. President, I understand the argument perfectly well; but on the other hand it is to be feared that at certain moments not only one detonating signal will be fired, but two or three at short intervals. Whether these intervals may accidentally last forty or fifty seconds or a minute, or even longer, there may exist a confusion which it is important to avoid. It is against this confusion, which is possible or admissible in certain cases, that I ask this Conference to pronounce itself, and not against the principle, which is excellent.

Mr. Hall (Great Britain).—I quite see the value of the observations which have been just addressed to the Conference, and I think that this is a matter which requires the consideration of seamen. I would therefore merely ask the Conference to vote upon the principle as to whether a vessel should be allowed to give a warning, and then we will determine if we can upon what kind of a signal shall be given, and in that I have no doubt we shall have the assistance especially of the seamen who are Delegates to the Conference. I think we can arrive at something by the time we get through with the Rules which will meet all objections. I admit that it is difficult to determine upon a signal which will not be objectionable. We thought we had arrived at it, but it is clear that we have not. So I will ask the Conference to vote upon the principle of this, and then we will determine upon the kind of a signal to be used hereafter.

Mr. Flood (Norway).—May I be allowed to remark that I am perfectly in favour of this Article as proposed, but the only thing I have stumbled over a little is where it says that it may be used "at any time"? That seems to me to be rather a wide scope for these flare-up lights and guns. I think that it ought to read "in an emergency," or "when necessary." I should not think it would be well to have it read "at any time." I think it only ought to be done when it is necessary. In my experience I have seen a rocket fired for pleasure from one ship to another, and that rocket struck the captain in the back and he fell down, and was crippled from it. That was done in the night-time only for pleasure.

Mr. Hall (Great Britain).—I am quite willing to accept an amendment of the words "when necessary" instead of "at any time."

The President.—The question now is upon the adoption of the principle of this Article, without defining the exact character of the flare-up light or the signal.

The question upon the principle contained in the amendment was submitted to the Conference, and carried.

The President.—The next subject for consideration will be the fifty-first amendment. The Secretary will please read it.

The amendment is as follows:—

"All vessels, when employed to mark the positions of wrecks or other obstructions at sea, or in waters open to the sea, shall exhibit three bright lights, two placed vertically not less than 3 feet apart on the side of the wreck or obstructions, and one light on the side of the fairway."

Mr. Verbrugghe (Belgium).—Mr. President, that is not exactly an amendment, but a suggestion which I made about lights when I understood that all lights should be the same, not only for the open sea, but for inland waters in connection with the sea; and for the sake of having the same kind of information for every mariner, I made this proposal. But it does not belong in the Rules of the Road, which apply only to ships and their manœuvres. I believe that it will better find its place when we come upon the subject of buoyage or lights of channels, &c., because it generally depends on Boards or Governments to conduct such matters. So, if you will allow me, I will withdraw that amendment now, and will present it on another occasion.

The President.—If there is no objection the amendment will be withdrawn.

I desire to call the attention of the Delegates to the fact that copies of the Protocol of the 4th November have been distributed. They will please make such corrections as they may find at the earliest possible moment, and call the attention of the Secretary to them.

Mr. Goodrich (United States).—I move that we adjourn until 10 o'clock to-morrow morning.

The Conference thereupon adjourned until Friday, 8th November, 1889, at 10 o'clock A.M.

Washington, D.C., Friday, November 8, 1889, 10 *o'clock* A.M.

THE Conference met at 10 o'clock A.M., pursuant to adjournment, with Rear-Admiral Franklin in the Chair.

The President.—The Chair desires to announce the Committee on the Load Line and the various subjects upon which he was instructed by the Conference to appoint Committees. The Secretary will please read the Resolutions upon which they were appointed, and then the list of the Committees.

The Resolutions are as follows:—

"*Resolved*,—That the Chair appoint a Committee of seven upon the subject of a uniform load-mark, General Division III of the Programme."

The Committee is as follows:—

Chile	Lieutenant Beaugency.
Great Britain	Mr. Gray.
France..	Captain Richard.
Germany	Dr. Sieveking.
Italy	Captain Settembrini.
Netherlands	Captain Hubert.
United States	Mr. Griscom.

"*Resolved*,—That the President appoint Committees on the several General Divisions of the Programme, except General Divisions III and V."

The Committees are as follows:—

Committee No. 1, to consider General Divisions II, IV, and VI of the Programme—

Brazil	Captain Saldanha da Gama.
Costa Rica	Don Manuel Arragon.
France	Captain Lanneluc.
Germany	Captain Donner.
Italy	Captain Settembrini.
Norway	Captain Salvesen.
United States	Captain Sampson.

Committee No. 2, to consider General Divisions VII and VIII—

Denmark	Mr. Garde.
France..	Captain Lanneluc.
Germany	Captain Donner.
Portugal	Mr. Souza Roza.
Sweden	Captain Malmberg.
The Netherlands	Captain Hubert.
United States	Captain Shackford.

Committee No. 3, to consider General Divisions IX, X, XI, and XII of the Programme—

China	Captain Bisbee.
France	Mr. Ribière.
Germany	Captain Mensing.
Norway	Mr. Flood.
Siam	Mr. Verney.
Uruguay	Dr. Alberto Nin.
United States	Captain Sampson.

Committee No. 4, to consider General Division No. XIII of the Programme—

Belgium	Mr. Verbrugghe.
Chile	Admiral Viel.
Denmark	Mr. Schneider.
France	Captain Richard.
Germany	Dr. Sieveking.
Sweden	Captain Malmberg.
United States	Mr. Griscom.

Committee on Collocation—

France	Captain Lanneluc.
Germany	Dr. Sieveking.
Great Britain	Mr. Hall.
Japan	Lieutenant Baba.
Mexico	Commodore Monasterio.
Norway	Captain Salvesen.
United States	Mr. Goodrich.

The President.—The order of the day will be the consideration of the thirty-eighth amendment to Article 12. The Secretary will please read the amendment.

The amendment is as follows:—

"Article 12. In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say:

"(*a*). A steam-ship under way shall make, with her steam-whistle or other steam sound-signal, at intervals of not more than two minutes, a long blast of about four seconds of duration.

"(*b*). A steam-ship not at anchor, but having no way upon her, shall sound, at intervals of not more than two minutes, two long blasts, with an interval of about one second between them.

"(*c*). A sailing-ship shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

"(*d*). A steam-ship and a sailing-ship, when at anchor, shall, at intervals of not more than two minutes, ring the bell."

Mr. Hall (Great Britain).—Mr. President, the members of the Conference will observe that under the Rule as it stands now, it was provided, "A steam-ship under way shall make, with her steam-whistle or other steam sound-signal, at intervals of not more than two minutes, a prolonged blast." As doubts have arisen and been expressed as to what is the meaning of the term "a prolonged blast," we have thought it better to attempt to give some idea as to what "a prolonged blast" means, and after considering the various reasons in favour of shorter blasts or longer blasts, we came to the conclusion that if we made it of about four seconds' duration, it would be sufficiently long to prevent it from being mistaken for a short blast, and at the same time not so long as to make it difficult for the signals of other vessels to be heard. It will be obvious that if a signal be made too long risk is run of shutting out the whistle and fog-horn of another vessel in the vicinity. If you make it too long you of course minimize the opportunity of hearing other signals. Besides this, I am told by various experienced seamen that it is very undesirable to make a blast with a steam whistle longer than is necessary, because it is deafening to the officers on the bridge of the vessel sounding the whistle.

I am told by men of great experience that when they have been on the bridge during a considerable portion of a watch, and the steam-whistle has been sounding regularly, as it should be in a dense fog, that the sounds from these fog and steam-whistles practically have an almost deafening effect on the ears of men who are standing on the bridge; therefore it is undesirable that we should make the signal longer than is necessary, but at the same time it should be long enough to prevent its being confounded with the short blast. After consideration we came to the conclusion that it was better to make it at about four seconds. We considered whether it should be longer; whether it should be five or six seconds, or more, but then these objections came in which I have mentioned of preventing the possibility of hearing other signals, &c. Accordingly, we have come to the conclusion that four seconds is the best limit of time which we can offer for the consideration of the Conference.

Captain Van Steyn (the Netherlands).—Mr. President, I think I can shorten this discussion by mentioning that the following amendment is better, and so I want to state that I would like to withdraw this whole amendment.

The President.—Is that the forty-first amendment?

Captain Van Steyn (the Netherlands).—It is the thirty-eight amendment.

The President.—That is an amendment of the Delegate from Great Britain.

Captain Van Steyn (the Netherlands).—I beg your pardon. I made a mistake about the amendment.

Captain Richard (France).—Mr. President, I have but one thing to ask the eminent Delegate from Great Britain in regard to the proposition made by him to the Conference. It relates to the distinct hearing of the prolonged and short blasts. I admit that it is necessary that the difference between the prolonged sounds and the short ones should be clearly determined. It seems evident that a period of four seconds will be sufficient to render a blast of the whistle distinct. But if the prolonged blast, in my mind, seems to be sufficiently distinct, I am in doubt whether it is practically so in regard to the short blast, which lasts but a second; for such is the measure proposed. Is this blast of one second sufficiently long? If so, the difference is enough. If not, if we are obliged to

n crease the duration of the short sounds, then to be logical it will be necessary to increase the u ration of the prolonged sounds.

I, therefore, ask the Delegates from Great Britain if they can mention to us any conclusive experiments upon the subject. In our navy we have attempted to communicate with the whistle by long and short sounds, and a duration of one second for the short sounds seems to us to be insufficient. Consequently, I consider that the duration of one second proposed for short blasts is very little. It will be observed that the steam-whistles which are used are almost exclusively operated by steam, that this steam is conducted by pipes of more or less length, and more or less straight, and that in consequence of the condensation of the steam it is often very difficult, not to say impossible, to obtain a clear sound the moment the whistle is put in operation. These clear blasts of one second, which are so difficult to produce distinctly, are, however, of the greatest importance in the manœuvring of two swift vessels to indicate that they are going to starboard, or to port, or full speed astern.

No one will dispute that the blasts of the whistle must be so distinct that no possible confusion can arise. I fear that the short blast of one second does not in that respect offer the desired guarantee. Moreover, at sea, in bad weather or heavy wind, when a signal with the whistle is made by long and short sounds, it is known that their interpretation is often impossible; for it has happened that some blasts of the whistle are, as it were, absorbed by the atmosphere, and are not heard the same as they were emitted. It appears to me that very short blasts are more liable than the others to this inconvenience.

Consequently, I ask the Delegates from Great Britain to inform us whether they have made experiments which are sufficiently convincing to assure us that the adoption of a system of short blasts of one second and of long blasts of four seconds answer practical requirements. It is important that the communications made with the whistle should always be sure and certain.

Mr. President, in order to render myself as intelligible as possible, I repeat my summing-up of the objections which I have previously made against the proposition made by the honourable Mr. Hall. The signals made by means of the steam-whistle consist of a certain number of prolonged or short blasts. The ear is obliged to catch them and to distinguish without effort the long from the short sounds. We cannot adopt the time proposed for the long blasts except on condition that we are sure that the time proposed for the short blasts is sufficient. If the latter is insufficient, it will be necessary, in order to distinguish the prolonged and the short blasts, to increase the duration of the prolonged blasts. Certainly the period of four seconds given to the prolonged blasts seems to me sufficient to enable them to be heard, but I fear that the same cannot be said of a short blast of one second.

There must be taken into account the possible choking up of the steam-pipe of the whistle from the condensation of the steam, as a result of which, when the whistle is opened, there escapes from it a moist steam which makes some noise without producing a clear sound. It is only after a certain time that the steam is sufficiently dry, and the conducting pipes sufficiently heated, to give the blast a clear, sharp sound.

I, therefore, have no objection against the duration of the prolonged blast, if it can be proved to me that the blast of one second can be distinctly heard and that it can be easily made. If not, if we are obliged to increase the duration of the short sound and to bring it to two or three seconds, it will follow that the duration of the long sound should be proportionately increased.

Mr. Hall (Great Britain).—Mr. President, in answer to the remarks which have fallen from the gallant Delegate from France, I wish to point out to him that we have had under consideration, very carefully, the difficulty which sometimes arises from the condensation of steam in a whistle, which prevents the whistle from giving out a distinct sound at once. But my friend will observe that we do not propose to give a short blast signal at all in a fog. What we do propose is that the whistle used in a fog shall be a prolonged blast. There is one signal, which we will come to presently, where we propose to have two prolonged blasts, with the interval of a second, but we do not propose to make any signals in a fog with a short blast. It is perfectly obvious that if we did propose anything of the kind the observations of my friend, the learned Delegate from France, would be of very great force. There would be a great difficulty in precising the length of the short blast of one second, in a fog where vessels could not see one another. We do use the expression, a "short blast," when vessels are in sight of one another. Then there will be no difficulty in a vessel blowing her whistle and giving a short signal, if she chooses. But in a fog we do not propose to give any signal which has a short blast at all.

We only propose that this blast shall be a prolonged blast, and that is the only kind of a signal which we propose—either one or two prolonged blasts. We think is desirable that we should have that blast sufficiently long so as to be well heard. I am very glad to hear that my friend, the Delegate from France, thinks that four seconds is sufficiently long for a whistle to be well and distinctly heard. Our sole object is to arrive at a long blast which shall be sufficiently long to be well heard, and yet not so long as to present the difficulties which I ventured to point out at the opening of this discussion. I quite see that in a fog there would be great difficulty in distinguishing between a short and a long blast, unless you make the long blast very long indeed or make the short blast more than a second.

Admiral de Spaun (Austria-Hungary). Mr. President, I would only invite the attention of the Conference to the Report of the Committee on Sound-Signals in regard to this matter, and invite your attention to their remarks upon the advisability of not fixing the duration upon Steam-ships of a prolonged blast. The Report says:—

"We invite attention to the desirability of not fixing the duration of the steam-ship's prolonged blast warning-signal, under Article 12 of the Regulations, at any minimum until exhaustive experiments have shown that the efficiency of this signal is not reduced thereby. On this subject we attach some remarks on experiments made by M. Lefebre, in Holland (Appendix C)."

Captain Shackford (United States). Mr. President, if I could talk as ably as the gentleman from Great Britain I should have a great deal to say on this subject, but unfortunately I have not that ability, so I can only relate my own experience. After fifteen years' experience with the most powerful fog-whistles in the world, I never have had any difficulty from being deafened by the sound of the whistle. It is the practice in all steamers with which I have been connected or have any knowledge of to sound the whistle in a fog every minute, the blast to be six to eight seconds. That is the custom which is universally followed on board all steamers of which I have any knowledge whatever. I think that sailors, if their opinion could be had, would be almost unanimous that, in steamers which run over 4 or 5 knots an hour, the whistle should be sounded at least every minute, and that the long blast should be at least of six seconds' duration.

Captain Mensing (Germany).—I would like to state that the information which I have received from German captains in the Atlantic trade is not exactly the same as that which Captain Shackford has given us. They complain that by the long duration of their powerful whistles on board a ship the faculty of hearing is affected, and that the longer the blast the longer period it will take before they recover their hearing. I think that perhaps the proposition made by the Committee on Sound-Signals is the best we can adopt. It seems to me that four seconds would be long enough and not too long, and that the period at which these signals should be sounded should be about every two minutes.

I think, however, that such a provision is a very important one, and I should like to see it thoroughly tried before any proposition is adopted by us agreeing to a limit of four seconds, then perhaps the question might be put in the background a little. In regard to the Report of the Committee on Sound-Signals, I will state my belief that it is simply impossible to construct at the present time a fog-siren which can under all circumstances be heard one-half a mile only. It has been proved to my entire satisfaction that it cannot be done.

I would like to ask one more question. I do not understand exactly whether in the beginning the words, "in fog, mist, or falling snow," apply also to thick weather. I believe I have seen in some of the propositions which have been submitted to the Committee on Fog-Signals a proposition to make the signals apply also to thick weather, and as I think this is of some importance I would like to have the question taken up now.

Admiral Bowden-Smith (Great Britain).—Mr. President, I quite understand that we must pay every attention to the very interesting Report presented to us by the Sound-Signal Committee; but I would ask the Conference for permission to say a few words on the subject in favour of this amendment before they come to a decision, and I desire to state why it was drawn up in the way it appears here. Before I do so I wish to be allowed to allude to what the honourable Delegate from the United States has said about the duration of the blast. When I was crossing the Atlantic the other day—as I always think it is a good thing to see what is actually done—every time the good ship "Teutonic" blew her whistle I took out my watch, whenever I could, to see what was the length of the blast that was made, and it never exceeded four seconds. It was generally as nearly as possible to four seconds.

The gentlemen around the table will say: Well, then, if that is the case, if ships are now making the signal exactly as we want them to make it, why alter it? My answer to that would be that the reason why we wish to alter it is this: The first Rule says that a steamer is to make a prolonged blast, without specifying any duration, and the consequence is that if she chooses she can insist upon her rights, and blow her whistle for a minute or two minutes, and I think even the Delegate from the United States will object to that.

But there is a second reason why I am very anxious that something should be done in this matter. Judging from the amendments which have been put in by the honourable Delegates there is a very great consensus of opinion that there should be some distinction made between a ship which is going along and a ship which is stopped; and if you do not limit the duration of the sound for a ship that is going along, I see great difficulty in establishing a stop-signal. I do not say it is impossible, but I think there will be great difficulty. I think, also, that it is very objectionable that a ship which is proceeding along at a moderate speed should make too long a signal, for this reason: When you hear a fog-whistle of a steamer on the bow, your only means of knowing which way she is going is to listen very intently for the next sound, and then you get some sort of an idea as to how she is proceeding. But if these sounds are too long, and repeated too frequently, I do not think you have the same means of knowing which way she is proceeding.

As I said before, I think it is very important; and I hope the Conference will not pass over the subject without establishing a stop-signal, because when a steamer is absolutely stopped—suppose, for instance, she is hove to off the port in a dense fog, waiting for it to clear up—it is very desirable that she should make a different sound from a steamer which is proceeding. It is for that reason that I hope the Conference will give their earnest attention to this matter. I appreciate the difficulty, of course, in going against the Report of the Committee on Fog-Signals. I understand that what is stated in this paper by M. Lefebre, of Holland, which has been before referred to, is that a short sound would not carry as far as a sound which is more prolonged.

I desire to call the attention of the Conference to one thing before I sit down. I happen to have lately studied a great many collision cases in the books, and with one exception, which occurred last summer in the English Channel, I have noticed this: Out of seven cases of collision, where one steamer went down, and sometimes two, each steamer had heard the other's fog-signal before they came into collision, sometimes twice, and sometimes three times; but if some of these steamers had had not heard the fog-whistles of the other steamer they would have been afloat to-day. I do not think that is a reason for not having any signal, but I wish to point out that the signals are *heard* by steamers in most cases.

Captain Shackford (United States).—I would like to ask the gentleman from Great Britain if,

when he took out his watch, while the "Teutonic" was blowing her whistle, she was running in a fog?

Admiral Bowden-Smith (Great Britain).—Certainly, she was going in a fog.

Captain Shackford (United States)—Will you kindly tell me the interval between the blasts?

Admiral Bowden-Smith (Great Britain).—I did not count that; I did not pay any attention to that.

Captain Shackford (United States).—Might I ask the honourable Delegate from Germany what is the practice on board the German steamers as to the interval between the two blasts?—because I have frequently been in company with German steamers that blew the whistle every minute.

Captain Mensing (Germany).—I have only been informed by my friend in general terms about the great disadvantage that would result by blowing the whistle too often; but I cannot tell at the present moment the exact intervals observed. If the honourable Delegate from the United States assures me that they are blown every minute, I think that it is very likely the case. But I have heard these gentlemen speak in the strongest terms of the disadvantage of blowing the whistle too often.

Captain Shackford (United States).—I quite agree with that, if they should blow it every fifteen or twenty seconds.

Mr. Hall (Great Britain).—Mr. President, might I point out that the question before the Conference is not how often the whistle shall be blown, but the question now is as to the duration of the blast that is to be given? We shall have to determine hereafter how often the signals shall be given; but the question now is as to the duration of the blast. I will only say in answer to what has fallen from the Delegate of the United States that we have amongst us, one of our Delegates, a gentleman who has been a captain in our largest line of merchant-vessels, which, as I believe, is one of the largest, if not the largest, line in the world, and his experience is quite to the contrary. He pointed out that it really has a very prejudicial effect upon the hearing of the man upon the bridge, from the very powerful whistles which we have now.

Captain Wyatt (Great Britain).—Mr. President, on more than one occasion I have found it necessary to stop the ship for a certain length of time and go into my cabin, because my hearing has become so affected by the continuous sound of the whistle as to compel me to go below after having been for several hours, say eight hours, on the watch.

The President.—The question is upon the thirty-eighth amendment, paragraph (*a*).

The question upon the above amendment was put to the Conference, and the amendment was adopted.

The President.—The Secretary will now read paragraph (*b*), amendment No. 38.

Paragraph (*b*) is as follows:—

"(*b.*) A steam-ship not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two long blasts, with an interval of about one second between them."

Mr. Hall (Great Britain).—Mr. President, my friend Admiral Bowden-Smith, in his observations just now, pointed out very forcibly the extreme desirability of having such a signal as this. I think, in all of the discussions which have taken place upon this point, there has been practical unanimity as to the desirability of having some such signal as this, although so far as I can tell by reading the Report of the Committee on Sound-Signals, and by reading the Report which we have handed in with regard to course-indicating signals, and the result of the answers which have been received in response to the official demand sent out by the United States, and having regard to the answers to the letters which were sent out by the Delegate from the United States, although they are all practically very strongly against the institution of a complete system of signals, yet, so far as I can see, there is a general consensus of opinion that there should be a signal by which a vessel which has stopped her way, not at anchor, and is lying dead in the water, should be able to tell any approaching vessel in a fog that such is the case, and that she is in such a condition.

When a vessel has once stopped her engine, and has stopped her way, and she is lying like a log in the water, it is most important to her that she should be able to tell other vessels approaching her of the condition in which she is. We are not going to propose a complicated system of signals in a fog, yet we have thought it desirable to try and get a signal for vessels under these circumstances, which shall be plain and lead to as little mistake as possible. Therefore we have proposed this signal, that there should be two prolonged blasts with an interval of about one second between them. A steamer, if she is under way, in a fog, under the Rules which the Conference has now passed, will be required to give a signal of about four seconds' duration, at intervals of not more than two minutes. So that, if a vessel hears a prolonged blast and then a second long blast, with an interval of one second, from the same quarter, presumably it will be from some vessel which is signalling "I have stopped, I have no way upon me."

I think I am justified in saying that we all want to have some such a signal. Whether this is the best signal it will be for the Conference to determine; but so far as I can see, the great majority of the sailors think it is a desirable thing to adopt such a signal. That being so, we propose to have a signal, which, so far as we can see, is the best signal for the purpose.

Mr. Goodrich (United States).—Might I suggest to the Delegate from Great Britain that it will be well, if he means it, to say that these prolonged blasts are precisely the same as those contained in subdivision (*a*)? And I should suggest the adding of the word "similar" after the word "two," so as to make it read, "two similar blasts, with an interval of about one second between them."

Mr. Hall (Great Britain).—Or, "two such long blasts."

Mr. Goodrich (United States).—I do not know but that your wording is better.

The President.—If there is no objection that amendment will be made.

Captain Mensing (Germany).—I would like to point out that the signal would only be for the

case where there is mist or falling snow, and that it might be quite as well that they should be able to use this signal in other cases. We have already a signal of three short blasts for "I am going full speed astern," under Article 19. I have seen several propositions made to add another signal to Article 19. Perhaps they could both be combined, so that this signal might be used both in thick weather and when the object is in sight.

Mr. Hall (Great Britain).—I would suggest to the gallant Delegate from Germany that it will be in order for him to propose, when we come to Article 19, if the Conference thinks it desirable, that when vessels are in sight of one another there should be such a signal. He can then incorporate the suggestion under Article 19 when we arrive at it.

Admiral Bowden-Smith (Great Britain).—There is one thing which I wish to point out to the gallant Delegate from Germany and to the Conference. I had a great deal to do with the drawing up of these proposals, and they were carefully compared with the International Code Signal-Book. I want to call to the attention of the gallant Delegate from Germany the fact that there is a sort of a scheme or plan in these suggestions which I hope he will consider.

Captain Van Steyn (the Netherlands).—May I call the attention of the Conference to sound-signals? There are more sound-signals wanted than those provided for in this thirty-eighth amendment. I think it desirable to read from the Report of the Sound-Signal Committee, where such a proposal is made:—

"We are of the opinion that many of the steam-whistles and the fog-horns and bells now in general use cannot be heard a sufficient distance; we, therefore, recommend the use of instruments giving a louder sound, and we consider it desirable that the sounds given by steam-whistles and fog-horns should be regulated so that the tones of the steamer's fog-whistle should be as distinct as possible from the sound of the sailing-vessel's fog-horn.

"As a vessel at anchor in a fog, &c., in a fairway at sea, is in a more dangerous position, particularly while swinging round broadside to the main line of route with a change of tide, than if under way and sounding the authorized fog-horn, we would suggest that such a vessel should be compelled to use a more efficient sound-signal than the bell at present authorized.

"As in a fog, &c., a tug towing another vessel forms an exceptional danger, we would suggest that the tug and the one or more vessels towed should be compelled to sound a special fog-signal.

"We would suggest that a vessel 'not under command' should be compelled to sound a special fog-signal."

The President.—The question before the Conference is paragraph (*b*), amendment No. 38. At the present time any amendment which the Delegate wishes to propose will be entertained.

Mr. Hall (Great Britain).—May I point out to the learned Delegate from the Netherlands the proposition which I understand he has mentioned, "that there should be also other signals," is not at all in contradistinction to this proposal? We are dealing with one signal. If he thinks it desirable to propose other signals, he will do so, no doubt, by amendments which he will prepare and place before the Conference. I really do not see why it is desirable to complicate the question which is now before the Conference, because he thinks it desirable to have other signals.

Mr. Goodrich (United States).—He has it in the forty-first amendment presented by him.

Mr. Hall (Great Britain).—Yes; and when we arrive at the forty-fist amendment we can deal with any further signals which are proposed.

The President.—The Delegate from the Netherlands is at liberty to propose any system of signals at any time after this has been disposed of. Any suggestion of his, or amendment, will be in order, and he can move to strike out this whole paragraph and substitute some other at the proper time; and the fact that this amendment to subsection (*a*) has been under consideration by the Conference will not interfere with any action which the Delegate may take hereafter. The question is now upon paragraph (*b*) of the thirty-eighth amendment. The Secretary will please read paragraph (*b*).

Paragraph (*b*) is as follows:—

"A steam-ship not at anchor, but stopped and having no way upon her, shall sound, at intervals of not more than two minutes, two such long blasts, with an interval of about one second between them."

The amendment was put to the Conference, and carried.

The President.—The Secretary will please read (*c*).

"A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes—when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession."

Mr. Goodrich (United States).—Mr. President, before we pass paragraph (*c*) I would like to suggest an amendment, although it is not in the amendment proposed by the Delegate from Great Britain. I do not see that it has been proposed in any of the various amendments, and for that reason think it probable that the Conference can take it up now.

The President.—There seems to be no alteration in paragraph (*c*).

Mr. Goodrich (United States).—I propose to amend it so as to require a sailing-ship to make signals upon her fog-horn at intervals of not more than one minute. This is the reason: The wise suggestions which have been made by the experienced nautical gentlemen around the Board about the deafening effects of the fog-whistle upon the ear do not apply to the fog-horn; and consequently, inasmuch as a fog-horn can be heard only from a quarter to perhaps half a mile, it ought to be sounded quicker and more rapidly, so as to give steamers more notice than is required by the Rule. I make the motion to change the words "two minutes" to "one minute."

The President.—The Delegate from the United States moves to amend paragraph (*c*) by changing the words "two minutes" to "one minute."

The amendment was put to the Conference, and carried.

The President.—Paragraph (*d*), Article 12, is the next subject for consideration. The Secretary will please read it.

"A steam-ship and a sailing-ship, when at anchor or moored, shall at intervals of not more than two minutes ring the bell."

Mr. Hall (Great Britain).—Perhaps I had better say that we do not propose to put in the words "or moored," because at the meeting of the Conference yesterday there was a ruling that there was no doubt whatever about the meaning of the words "at anchor," and there was no use in putting in any unnecessary words. Therefore we propose to leave them out of the amendment.

The President.—By general consent the words "or moored" will be erased.

Mr. Goodrich (United States).—Mr. President, I suggest to the learned Delegate from Great Britain that this subdivision would not be consonant with the amendment made in (*c*) unless we provide for ringing the bell at intervals of one minute, and also the amendment which I have suggested in the forty-second amendment, namely, "that the bell shall be rung rapidly for not less than five seconds." The object is so that there shall be some defined time for the ringing of the bell. I believe the sailors call it "ring away." I make the suggestion to the Delegates from the various countries at this time. Is one minute satisfactory?

Mr. Hall (Great Britain).—Yes.

Mr. Goodrich (United States).—I move to amend subsection (*d*) by inserting, after the words "not more than," the following, "one minute." Does the honourable Delegate from Great Britain adopt the amendment with regard to ringing the bell for not less than five seconds?

Mr. Hall (Great Britain).—I think it is very desirable that the bell should be very well rung, so as to give every possible warning. I do not know whether it would be well to precise it at five seconds. We think it very desirable that it should be rung loud and rapidly; but if it is to be rung five seconds every minute, all I can say is that I pity the men down below.

Mr. Goodrich (United States).—I move to insert the word "one" in place of "two" in the second line of paragraph (*d*), and to add at the end of that section the words, "rapidly for not less than five seconds."

The President.—The Secretary will please read the amendment as proposed.

The amendment is as follows:—

"A steam-ship and a sailing-ship, when at anchor, shall at intervals of not more than one minute ring the bell rapidly for not less than five seconds."

Captain Malmberg (Sweden).—Mr. President, for my part I must object to having in this subsection (*d*) any such short time between the ringing of the bell as one minute, because I am quite certain such a regulation will not be complied with; it will be hardly possible on board of a vessel to comply with a provision to ring the bell every minute. I do not think there is any danger in letting this subsection (*d*) remain as it is now, with two minutes to ring the bell. I think that the Rule for ringing the bell every two minutes ought to stand fast. I do not think it is at all necessary to shorten the time for a ship at anchor to make this signal.

The President.—The question will first be upon the amendment of the Delegate from the United States, changing the word "two" to "one."

The amendment was put to the Conference, and carried.

Mr. Goodrich (United States).—The other words are also to be added to the end of the last line, "rapidly for about five seconds."

The President.—The Secretary will please read it as it now stands.

The amendment is as follows:—

"A steam-ship and a sailing-ship, when at anchor, shall at intervals of not more than one minute ring the bell rapidly for about five seconds."

Captain Salvesen (Norway).—It is not quite clear to me whether by these Regulations a vessel in tow has to conform to the Rule.

The President.—The question now before the Conference is with regard to a vessel at anchor.

Captain Salvesen (Norway).—I referred to the whole Article.

The President.—It is proposed to discuss paragraph (*d*) now. If the Delegate proposes to amend paragraph (*d*), which is now under consideration, he will be in order.

Captain Salvesen (Norway).—No, Sir; I only wanted to state that by this Article I did not see that it had provided for a vessel in tow.

The President.—The question now is with regard to a vessel at anchor.

The question now recurs upon paragraph (*d*), as amended.

The question was put to the Conference on paragraph (*d*), and the amendment was carried.

Captain Shackford (United States).—Mr. President, I would like to give notice of an amendment to this Article 12, or an addition rather.

The President.—The Secretary will please read it.

The additional Article proposed is as follows:—

"Steamers in the North Atlantic service, running between Europe and America, may use some distinctive whistle-signal that cannot be mistaken for any other, to indicate whether they are going east or west."

The President.—That will be printed and laid over for future consideration.

The Secretary will please read the forty-first amendment to Article 12, which will be considered by sections.

The amendment is as follows:—

"A steam-ship shall be provided with a whistle or other efficient sound-signal, sounded by steam or compressed air, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by a bellows or other mechanical means, and also with an efficient bell. (In all cases where the Regulations require a bell to be used a drum will be substituted on board Turkish vessels.) A sailing-ship shall be provided with a similar fog-horn and bell.

"In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say:

"A steam-ship under way shall make with her whistle or other sound-signal, sounded by steam or compressed air, at intervals of not more than one minute, a prolonged blast from six to eight seconds."

Captain Van Steyn (the Netherlands).—Mr. President, I withdraw the part about compressed air.

The President.—The question is upon that amendment.

Mr. Hall (Great Britain).—Before that is put to a vote I would like to make some observations upon it. I have not heard from the Delegate from the Netherlands what his object is in proposing this, but I assume that it is to meet the case of vessels which are not proceeding under steam. Otherwise I do not see that we ought to do away with this steam-whistle. If we strike out these words at the beginning, as the amendment stands at present, it would lead to the extraordinary result that a steamer would not be obliged to use her whistle at all, if she has merely got a pair of bellows, that is, compressed air; if she has got an ordinary fog-horn, with a pair of bellows attached, that is all she would have to carry, if we adopt his wording. He certainly does not wish to carry that proposition.

It seems to me that if we introduce the words, "sounded by steam or compressed air," if she has merely a pair of bellows on board, then she would have a sound-signal by compressed air, and would say, therefore, "I am complying with the Rule." I think it would be most undesirable for us to do away with whistles on board of steamers, because they have a much more penetrating effect than fog-horns; and unless the Delegate can frame his amendment in other words, I could not be in favour of it. I do not see the object of the amendment. I dare say he will be kind enough to tell us what the object is, and then we shall be able to deal with it; but I confess that I do not see any object in doing away with the steam-whistle.

Captain Malmberg (Sweden).—Mr. President, there is an objection on my part to allowing steamers to use, when under way, a signal blown by compressed air, because I think that by using compressed air the signal from a steamer will lose that character of sound which is produced when you use steam for making a signal. I am not quite certain of it, but I think the sound will not be of the same character when it is produced by compressed air as when it is produced by steam. For that reason the sounds from a steamer will lose their present distinctive character. Now, you always know whether it is a steamer which makes a signal or a sailing-vessel.

Captain Mensing (Germany).—Mr. President, I would like to say that I fully understand the importance of the suggestion made by the Delegate from the Netherlands. No doubt a great advantage is to be gained by using compressed air in a whistle or in a siren in preference to steam. Compressed air does not condense, and therefore the whistle is always ready the moment the cock is opened or the lever turned. The Article as it at present stands is:—

"A steam-ship under way shall make with her steam-whistle, or other steam sound-signal, at intervals of not more than one minute, a prolonged blast."

Now, a whistle has to use steam in order to produce sound, whether it be to compress the air or to blow the whistle. I think the Article ought to be left as it is.

Captain Van Steyn (the Netherlands).—I only put in these words, "by compressed air," because I thought that the words "steam-whistle" precluded everything else except steam. That is the only reason why I asked to insert "compressed air."

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"A steam-ship shall be provided with a whistle or other efficient sound-signal, sounded by steam or compressed air, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by a bellows or other mechanical means, and also with an efficient bell. (In all cases where the present Regulations require a bell to be used, a drum will be substituted on board Turkish vessels.) A sailing-ship shall be provided with a similar fog-horn and bell."

The amendment was put to the Conference, and lost.

The President.—The next subject for consideration is section (*a*) of the same amendment, which will be read by the Secretary.

Section (*a*) is as follows:—

"A steam-ship under way shall make with her whistle or other sound-signal, sounded by steam or compressed air, at intervals of not more than one minute, a prolonged blast from six to eight seconds."

Mr. Hall (Great Britain).—I apprehend that this amendment has practically been settled.

The President.—It has practically been settled. Will the Delegate withdraw section (*a*)?

Captain Van Steyn (the Netherlands).—I will withdraw section (*a*). The only thing that is left for consideration here is the suggestion at the end of the amendment, the last paragraph.

Mr. Hall (Great Britain).—We have agreed upon the principle of the Delegate from the Netherlands, as proposed in section (*b*).

The President.—He has withdrawn that permanently. Sections (*a*) and (*b*) have been withdrawn. The Secretary will please read the last two lines of section (*d*).

They are as follows:—

"For the above-mentioned sound-signals we should suggest to give the same tone to all whistles, and another tone, though a little higher, to the fog-horn."

Mr. Hall (Great Britain).—I would point out that this is not an amendment, but merely a suggestion, and I think it is a suggestion which very likely each nation will consider for itself. It appears to me that it would be very difficult to reduce this to any practical International Rule. I think that is a matter which can be taken into consideration by the governing Powers for the regulation of their own marine. It is no doubt desirable that there should be, so far as possible, a distinction between the sound of a whistle and a fog-horn.

The President.—As this is merely in the form of a suggestion, I do not see how it can come fairly before the Conference without being in the form of an amendment.

Captain Van Steyn (the Netherlands).—We do not make an amendment. I only desire to make a suggestion to that effect.

The President.—It is merely a suggestion on the part of the Delegate from the Netherlands, and he desires no action upon it.

Captain Shackford (United States).—That matter is mentioned also in the Report of the Committee on Sound-Signals at p. 3, in the first section. It says:—

"We are of opinion that many of the steam-whistles and fog-horns and bells now in general use cannot be heard a sufficient distance; we therefore recommend the use of instruments giving a louder sound; and we consider it desirable that the sounds given by steam-whistles and fog-horns should be regulated so that the tones of the steamer's fog-whistle should be as distinct as possible from the sound of a sailing-vessel's fog-horn."

There does not seem to be anything impracticable about that.

Mr. Hall (Great Britain).—I think we are all agreed about the principle; but there is no amendment upon it at all.

The President.—The next subject for consideration will be the forty-second amendment to Article 12. The Secretary will please read the amendment.

The amendment is as follows:—

"A vessel when not under way shall, at intervals of not more than two minutes, ring the bell rapidly for not less than five seconds."

Mr. Goodrich (United States).—I would suggest that that be laid over for a moment, and have the Conference pass on to the consideration of the next amendment. I think there is a suggestion there about what should be done by a vessel when not at anchor and not under way, which we still have not provided for.

Mr. Hall (Great Britain).—The learned Delegate from the United States will see that it was necessary to make it apply to a vessel at anchor, because we have now given a certain signal to a vessel which is under way——

Mr. Goodrich (United States).—That is a steam-vessel. I am talking about a sailing-vessel. What about a sailing-vessel not under way? She is not at anchor.

Mr. Hall (Great Britain).—If she is under way she ought to blow her fog-horn.

Mr. Goodrich (United States).—Where have you provided for it? If you will observe the Rule I think you will find it is not provided for; at least, it is not just now in my memory. Suppose that she is not under way?

Mr. Hall (Great Britain).—She will have the wind either on the port or the starboard or the wind abaft the beam.

Mr. Goodrich (United States).—Let me call the attention of my learned friend to the fact that the present Rule provides for just the case which I have in my mind. It says: "A steam-ship and a sailing-ship, when *not under way*, shall, at intervals of not more than two minutes, ring the bell." Now you have changed that so as to say: "A steam-ship and sailing-ship, when *at anchor*, shall, at intervals of not more than one minute, ring the bell." You have not included what is provided for in the present Rules, namely, a steam-ship or a sailing-ship when not under way. What points the suggestion to my mind is the case to which I called the attention of the Conference the other day, where a vessel, a fishing-smack, was hove-to—the English authorities say she is under way, and the American authorities say she is not under way. That is just the difficulty.

If we can reconcile these conflicting points by the exercise of the superior knowledge of this Conference, and make the thing perfectly clear, let us do it. Here is the opportunity to try our hand at that kind of law-making and overrule the grave and reverend Courts. But you will see that you have excluded the position provided for in the old Rule entirely, and, I take it, somewhat unwittingly. We want to provide for the case which was provided for by the old Rule, "a vessel not under way;" not only not at anchor, but not under way. You have excluded entirely that condition of things and have made no provision for it. I suggest that it is very easy to amend this by re-inserting the words which have been struck out, and I suggest that to the learned Delegate from Great Britain.

Mr. Hall (Great Britain).—The words "at anchor" were purposely used for this reason:

Originally in the Rules the words were "not under way." That was because there was no Rule whatever using the words "at anchor." That applied to vessels that were at anchor. According to our law a vessel is under way if she is not held by her anchor or made fast. Therefore, a steam-vessel or a sailing-vessel not under way was at anchor. We have used the words "at anchor" instead of the words "not under way" for this reason, that we have made a fresh Rule dealing with a steam-vessel not at anchor, but which has stopped and has no way. Therefore, we thought it would make it more distinct, as we have used in that new Rule, "stopped and having no way upon her," to put in the words "at anchor" instead of "not under way" in subsection (*d*). It was done purposely, because the new Rule dealt with a vessel without any way upon her, and therefore we thought it more distinct to use the words "at anchor."

Mr. Goodrich (United States).—What Rule are you dealing with now?

Mr. Hall (Great Britain).—I am dealing with Article 12.

Mr. Goodrich (United States).—Will the gentleman allow me to point out that the first line of section (*d*) strikes out the words "not under way," and substitutes the words "at anchor"? My reason for not seeing the amendment is that the printer has not properly indicated the words which were struck out. Now, there is a difference between the English authorities and the American authorities. Our authorities hold that a ship hove-to is not under way. My friend says: No, that is not right. I agree with him, and I tried very hard to convince the Court the other way, but they would not be convinced.

Our Courts hold that a vessel hove-to is not under way and therefore she must ring the bell. I cited the English authorities, which are very clear on the subject, and another case in our own Courts, which is quite clear; but the learned Courts here decided that if she was hove-to she was not under way, and she must be ringing her bell. The trouble with the Rule as it is now amended is that you do not provide for a sailing-vessel not under way. If you simply say, "a sailing-vessel at anchor or not under way," you have got both cases provided for, and there is no question about the Rule. I do not see any objection to it, and therefore I make a motion to amend this section (*d*) of Article 12, as provided for in my amendment, the forty-second amendment, by adding after the words "at anchor" the words "not under way."

Mr. Hall (Great Britain).—Mr. President, I do not think I made myself clear to the Delegate when I explained why these words are put in. The words originally were "not under way." But as we introduced a new Rule dealing with a vessel having no way upon her, we thought it better to use the words "at anchor," because it was simpler for seamen to understand. The object of the learned Delegate from the United States can be very easily met by the proposition of the learned Delegate from Siam, as a matter which is properly to come before a Committee, that these words shall include a vessel "hove-to" and a vessel not under way. I think it is better to deal with it in that way, if you will allow me to suggest it, and then we can give it any explanation required.

With regard to what he says about the American decision, I am aware that there has been considerable conflict in the American Courts upon the point. I would refer him to a case decided in the Supreme Court of the United States, where "hove-to" was decided according to our English law; and I take it—of course I am speaking with the greatest diffidence, because I am not at all familiar with the procedure in this country—that the Supreme Court of the United States is the highest Court of this country. That decision is in conformity with our decisions, that a vessel "hove-to" is under way. But we might, if it is desirable to clear up any doubt upon that point, define the word when we deal with the suggestion of the learned Delegate from Siam. I would therefore suggest that it should be referred to the Collocation Committee, and then we can clear up any existing doubt as to what the law is upon the question.

Mr. Goodrich (United States).—I still am afraid that I am in the same condition which my friend suggests that he is in, that I have not made myself understood by him. Will the learned Delegate from Great Britain point out any Rule now in existence, except the old Rule which we have amended, which provides for a sailing-ship not under way and not anchored?

Mr. Hall (Great Britain).—Is there such a case?

Mr. Goodrich (United States).—Certainly; a vessel on the high seas hove-to—or go a little further and take a sailing-vessel at sea stripped of all her canvas—she is not hove-to and she is not under way.

[Cries of "Yes; she is under way."]

Mr. Goodrich (United States).—I am not talking to nautical men, or in the language of nautical men; but I am talking about the decisions of the Courts in this country. I know of the case of the Supreme Court of the United States to which the gentleman referred as a decision of the highest Tribunal of this country. But the trouble is that a member of that Court since that decision, sitting in the Court below, has ruled the other way, and I think he is the best Admiralty Judge in this country. We want it made perfectly clear for us lawyers. After all, the Courts, by-and-by, will sit in judgment upon the sailors, and we want it settled right here that this Rule includes not only a vessel at anchor, but a vessel not under way. If the sailor is compelled to go to a code of definitions at the end of the Rules to explain any ambiguity he is at once in difficulty. The trouble with the Rule as now amended is that it applies only to a vessel at anchor. I want it to apply, as the old Rule applies, to a vessel not under way, and the three words inserted here will do it.

Mr. Verney (Siam).—May I just say a word in reference to this question? I want to strongly support what has fallen from the learned Delegate from Great Britain, that this is a question which, I venture to think, is best settled by the Collocation Committee. I may perhaps say to the learned Delegate from the United States that there is ambiguity in his proposal, which, perhaps, he is not fully aware of, as it is a difficulty which arises under the decisions of our own Courts. It may surprise some of the gentlemen here present when I say that it has been held in the English Court of Admiralty that a vessel at anchor, when not held fast by her anchor, was "under way." I hardly need cite the case by name in such a Conference as this. That decision has been questioned recently:

but where you have a conflict of decisions in the Law Courts it is necessary to clear up any doubt that may exist in the Rule.

I venture to submit that a full Conference like this is not, perhaps, the best place to discuss such fine delicate matters as that, which are, after all, matters of wording and matters of mere technicality, and which, perhaps, should not be treated as matters of broad general principle. I quite agree with what has fallen from the learned Delegate from the United States, that this is a *casus omissus;* but I would appeal to him whether a *casus omissus* of this character would not be better dealt with by a Committee, which will be appointed, and which will advise the Conference how best to deal with a case of that sort. I will not trouble the Conference with any further remarks; but I fully indorse what has fallen from the learned Delegate from the United States, that this Conference will not do its work satisfactorily and properly unless it puts before Jack Tar such a Code of Rules that he shall not and cannot make any mistakes on the deck of his own ship as to the meaning of the Rules.

Captain Sampson (United States).—Mr. President, I think that in a case of this kind the Court ought to adopt the meaning which sailors attach to these words. If they have a peculiar significance to them, it seems to me that any decision rendered by any Court involving these words should adopt the meaning which sailors apply to them and the meaning which is given to them in the compilation of the Rules. The meaning has been very clearly expressed by the Delegate from Great Britain, and I think to attempt to modify it in any way would only result in confusion.

Captain Shackford (United States).—Mr. President, I should like to say that, in the opinion of most merchant sailors, a ship becalmed, which I think is what my learned colleague means, is under way. I think that a ship becalmed should blow the signal for a vessel under way.

Mr. Goodrich (United States).—I, really, in this case must ask what I do not often ask, and that is, that this matter be laid over until I can look it up to-day or Monday morning. I have in my mind a case which takes a different view of the interpretation of this Rule. The English Courts and the American Courts have said that these Rules must be construed literally. It is in Marsden, but I cannot at this moment lay my hands upon the case. If you say a vessel at anchor, you mean a vessel at anchor, and you do not mean what the sailor refers to by saying "a vessel at anchor." But the ordinary interpretation of these words is the meaning which the Courts will give them. A vessel at anchor is a vessel not under way; but a vessel not under way is not necessarily a vessel at anchor. I want to suggest that this be laid over until Monday morning, or for half-an-hour, and I will look it up and call attention to it again.

Mr. Hall (Great Britain).—I apprehend that there is no objection to its standing over for half-an-hour, as the Delegate suggests. I do not know whether he heard the observations of his two colleagues on the question, both of them seamen; but if he did, I have no doubt that it will modify his view considerably. No seaman in this Conference has expressed any doubt upon the matter, and, having regard to what has fallen from both of his colleagues, he may perhaps not consider it necessary to press the amendment.

Mr. Goodrich (United States.)—This is the trouble: You say that it shall apply to a vessel at anchor; but you do not say that it shall apply to a vessel not under way.

The President.—Does the Delegate from the United States make a motion to postpone?

Mr. Goodrich.—I move to have it postponed for half-an-hour.

The motion was put to the Conference, and carried.

The President.—The next amendment for consideration will be the forty-third amendment. The Secretary will please read it.

The amendment is as follows:—

"Article 12. A steam-ship shall be provided with a steam-whistle, or other efficient steam sound-signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn, and also with an efficient bell. (In all cases where the Regulations require a bell to be used, a drum will be substituted on board Turkish vessels.) A sailing-ship shall be provided with a similar fog-horn and bell.

"In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say:

"(*a.*) A steam-ship under way shall make with her steam-whistle or other steam sound-signal, at intervals of not more than two minutes, a prolonged blast.

"(*b.*) A sailing-ship under way shall make with her fog-horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

"(*c.*) A steam-ship and a sailing-ship, when not under way, shall, at intervals of not more than two minutes, ring the bell.

"(*d.*) Vessels of less than 14 tons gross registered tonnage shall not be obliged to be provided with the instrument above described, but shall make with any other instrument an efficient sound-signal, at intervals of not more than two minutes."

Captain Mensing (Germany).—Mr. President, I believe that I have already explained the meaning of this amendment, and that it is unnecessary to go over the same ground again. The German Delegation wish that that fog-horn should be made as efficient as possible; but we know that the fog-horns which have been blown by a bellows and other mechanical devices have not come up to expectations. They do very well on exhibition, but after they have been used at sea they have become deficient. It is scarcely possible to have these instruments repaired on board the ship. Therefore, I should think it would be well to strike out these words, "to be sounded by a bellows or other mechanical means." Of course the words which remain will not at all prohibit the use of such instruments by those who prefer them to the old trumpet that has been in use a great many years.

Mr. Hall (Great Britain).—Mr. President, I quite see the force of that which has just fallen from

the gallant Delegate from Germany, that fog-horns are not as satisfactory as it was hoped they would be. I think most seamen would agree that there is room for improvement in such fog-horns. That, of course, is a matter that must be developed with time and invention; but I confess I do not think it is an argument that because fog-horns are not as good as we had hoped they would be some day, therefore we are to strike out of our Rules the words which were put in to make these fog-horns as efficient as possible.

I think all seamen will be agreed upon this, that you can, with a properly constructed mechanical fog-horn, produce sounds for a long space of time, say for the whole of a watch, better than a man would with the ordinary mouth-horn, for this reason: The man who blows the horn is apt to get tired or lazy, whereas, using a bellows, he ought to be able to produce the same sound at the end as he did at the beginning. These words are put in to prevent a man saying that they have complied with the Rules sufficiently when they have merely got a mouth fog-horn on board.

The gallant Delegate from Germany told us when this Rule was under discussion the first time that he had known of cases where seamen would take the bellows on these mechanical fog-horns and use them to blow the fire. We have known of similar instances, but surely that is no argument against the use, because the sailors destroy the instrument which is constructed upon what is considered to be a more approved method. If the seamen choose to break them to pieces and use them for other purposes, it does not appear to me to be a valid argument in favour of doing away with what is a matter of protection.

This Rule is so framed as to require that sailing-vessels shall have the best appliances that can fairly be expected, and that is a mechanical fog-horn, not merely a mouth-horn; and having regard to the fact which the learned Delegate himself has pointed out, that it is to be lamented that the fog-horns are not more powerful than they are now, I hope we shall keep in these words with the object of making them as powerful as they can be made according to present inventions; but shall not do away with the precaution which the Rules at present contain.

Captain Mensing (Germany).—I believe that the learned Delegate from Great Britain has just now mentioned the difficulty on board of vessels where these instruments have to be blown by mouth. I would like to state my information and my conviction that in no small vessel where there is simply one man to blow the fog-horn during the watch, is there at the present moment any mechanical device. That is pretty strong, but I believe it. I will say that so far as I have been able to find out they are not used, and they certainly are not used in Germany. As a proof of this, Privy Councillor Donner, one of the Delegates from Germany, pointed out the other day that the Government has gone to the trouble of having the vessels of all nations—small vessels coming to Germany—looked after, and inquiries made as to whether they have fog-horns blown by mechanical devices, and also whether they had the three red lanterns. So far as I know there has not been one case found where they had them on board.

Now, in paragraph (*d*), as amended by us, we have tried to put in a good word for small steamers. I am very sorry that this matter has not been taken up by the Committee on Sound-Signals. I am positive that in some of the papers, in regard to light-signals and sound-signals, a statement was made that these old horns were considered by practical seamen to be superior to the ones now in use. I will say at once that I am fully aware that by the use of a little hand siren, constructed in Norway, it is possible to get a sound of good strength and of any desired duration. It is an excellent instrument, and costs only a small sum of money. But the question is whether this thing can be kept in order on board of a ship.

All of these objections which have been raised by the learned Delegate from Great Britain against the old fog-horn, I think, are met by the word "efficient." If that instrument is not an efficient one, and if its strength is not sufficient in the opinion of the supervisor, I do not see any reason why any country in the world would consider it good. When the law is drafted for a particular country, under this Rule or Regulation, it could provide for supervisors to see that ships have such instruments. In our own practice we have found that these instruments, particularly those which have been driven by a bellows, do not come up to expectations, and that they are apt to become, after a little time, inferior to the old fog-horn. Therefore, we have tried to get this word back to the meaning which it had at first.

Mr. Hall (Great Britain).—I will point out to the learned Delegate from Germany that his first introductory remark did not refer to small boats. We are quite agreed with him with regard to very small boats, and think it may be advisable to except them from carrying these mechanical fog-horns. But the amendment under consideration does not deal with exceptionally small vessels. I certainly think it is advisable that very small vessels should be excepted; and I am told that it is a matter which is now under consideration by the Committee on Lights for Small Vessels. Perhaps that will come in better under Article 10. There is a provision in that Article with regard to small boats in fog, mist, or falling snow. I think very likely the Committee on Lights for Small Vessels may have dealt with this matter. If there is nothing in the Report of that Committee, I hope that my friend will frame an amendment dealing with this point as regards small vessels. I hope the Conference will not agree to the present amendment, however, which will include large vessels which are perfectly well able to carry these proper fog-horns.

The President.—Is the Conference ready for the question?

Captain Mensing (Germany).—I would like to say one thing with reference to this Article. There is a little difference between Article 12 in the United States' Laws and the Article that has been adopted by the Delegates. Both cases provide, where the Articles require a bell to be used, that a drum must be substituted on board Turkish vessels. I think that it ought to be provided that the Turkish vessels may use a drum, whenever they cannot use the bell on account of religious scruples. That is in the English Article, but it is not in the one which has been proposed here; perhaps it might be a good thing to insert it. I would like to call the attention of the Conference to this omission in the amendment.

Mr. Hall (Great Britain).—I think it is desirable that it should be printed in that way.

Mr. Verbrugghe (Belgium).—Mr. President, in the absence of Mr. Gray, the Chairman of our Committee on Lights for Small Vessels, I will point out that the Report is not yet made. I may say that, although the Resolution appointing this Committee did not mention the sound-signals for small craft, yet we thought it proper, while treating with Article 10, also to consider the signals to be given in a fog; and then a proposition was made that small craft of a certain tonnage should not be obliged to have instruments to produce these sound-signals, but could give them by some other means. That is an explanation of the inquiry of the honourable Delegate from Germany, who has just spoken in regard to this matter.

The President.—Is the Conference ready for the question? The question is upon the striking out of the words, "to be sounded by a bellows or other mechanical means," in the first paragraph of Article 12.

The amendment was put to the Conference, and lost.

The President.—Does the Delegate from Germany desire to have section (*d*) of Article 12, in the forty-third amendment, considered?

Dr. Sieveking (Germany).—It has been considered, but I do not know whether any conclusions have been reached by the Committee on Lights for Small Vessels. It has been mentioned.

Mr. Verbrugghe (Belgium).—So far as I remember it has been adopted; but if it has not I will remember to have it brought before the Committee.

Dr. Sieveking (Germany).—Perhaps, then, it had better be postponed, and taken up in connection with the Report of the Committee on Lights for Small Vessels.

The President.—The next amendment will be amendment No. 85, Article 12. The Secretary will please read it.

The amendment is as follows:—

"Article 12, section (*e*). A steam-vessel towing shall sound with her steam-whistle, at intervals of not more than two minutes, one long blast and one short blast, with an interval of about one second."

Captain Malmberg (Sweden).—Mr. President, as we all know, there is in the present Regulations no provision inserted for signals to be made by a steam-vessel towing another vessel, and this omission has very often been pointed out as a great want. I have, for this reason, moved the amendment to Article 12, section (*e*), in the eighty-fifth amendment, that "a steam-vessel towing shall sound her steam-whistle at intervals of not more than two minutes, one long blast and one short blast, with an interval of about one second." It is a defect in this amendment that I have not put in the words "another vessel" after the word "towing," but this defect can be remedied by the insertion of the words.

It may also be said there is in this proposed amendment a fog-signal to be made by a steam-vessel towing another vessel; but has the vessel towed not to make any signal? This part of the amendment has not escaped my attention, but I consider that the signal in a fog as it stands is quite sufficient to convey to the mind of the person in charge of a vessel that there is a steam-vessel towing another vessel in the vicinity, which circumstance requires greater precaution to be taken by the vessel which is not encumbered by a tow.

There should also be a change in the wording of the amendment, by inserting, after the words "about one second," the words "between them." When you hear a steam-whistle from another vessel in a fog, it is certainly a very great advantage, and I think it is also a necessity, to know that you have before you not a single vessel which is under perfect command, but that you have in the vicinity two vessels which are depending upon each other. I do not think it is improper for me to propose that a special signal shall be given by the steamer towing. I do not, for my part, stand upon the signal I have proposed, if there can be a better one suggested.

Mr. Hall (Great Britain).—Mr. President, we cordially agree with the honourable Delegate for Sweden in the principle that the steam-vessel towing another vessel in a fog shall give a signal, if a satisfactory signal can be found; but such a matter will require very great consideration, and I would suggest that we should first decide upon the principle whether or not it is desirable for steam-vessels towing to give a distinctive signal; and if that be so, then the gentlemen who have given us so much assistance on the Sound-Signal Committee would probably be so kind as to take into consideration what kind of a signal would be the best.

The discussion which has taken place this morning has already served to show that very possibly the signal proposed in the amendment might not be a satisfactory one, because, as the gallant Delegate from France pointed out this morning, of the difficulty of giving a short blast in conjunction with a long blast, for the reason that it might be difficult to make your short blast sufficiently short and yet sufficiently distinct. So it is a matter which will have to be considered very carefully as to what the signal should be. I would, therefore, move that we affirm or reject the principle only on this amendment, and then, if it be carried, which I trust it will be, ask the Committee if they will be so kind as to assist us with their deliberations on the matter. It is possible that there may be some other fog-signals thought necessary; if so, I think I may say that we shall be able to have their valuable assistance.

Admiral Nares (Great Britain).—Mr. President, on the part of the Fog-Signal Committee, I may say that in our Report we have suggested two or three cases in which we thought that vessels presented dangers in a fog, for which there were no signals provided at present; and we have recommended signals for these two or three cases for the Conference to consider. Of course it was no part of the reference to us to state or to recommend what these signals should be. We left that to the Conference; and if they think it proper, after settling first the basis of what vessels do require further signals, we shall be very glad to give our minds to the point. But we suggest that if any more signals

are recommended, they must be on some tolerably good principle. We cannot go lightly into this matter. We are also, all of us, fully of one mind that the fewer additional signals we have for mariners to learn and keep in their minds the better.

I may also say, while I am on the subject, that before you refer to us, or before you adopt here in the Conference, any particular signals, you will have to clear the ground, as it were, for those signals which you really think are necessary, by settling beforehand the very important question of course- or direction-signals, because they must necessarily be of such a number that they will interfere with any others.

Captain Malmberg (Sweden).—I beg to move that this amendment of mine in sections (*e*) and (*f*) be accepted here in principle; and, as there are several signals proposed, that the Conference shall only agree to the principle, and that the Committee on Sound-Signals shall work out this matter, if possible, and find such signals as may be proper for the purpose. I take the liberty of moving that my amendment be accepted in principle.

The President.—It is moved by the Delegate from Sweden that the sense of the Conference be taken upon the principle of his amendment, and that the amendment be referred to the Committee on Fog-Signals.

The motion was put to the Conference, and carried.

Captain Malmberg (Sweden).—I beg at the same time to state that I desire to hand in an amendment. On looking a little further into the signal proposed by me in the eighty-fifth amendment, section (*f*), I see that it is impracticable, and I beg leave to withdraw this amendment as it is now printed, and hand in another amendment, to be printed in an altered form.

The President.—The amendment will be printed. The Secretary will please read it.

The amendment is as follows:—

"Any vessel towed by a sailing-vessel shall make with her fog-horn, at intervals of not more than two minutes, four blasts in quick succession."

The President.—The question is upon the reference to the Fog-Signal Committee of the question with regard to formulating a signal in the case which has just been under consideration.

Admiral Nares (Great Britain).—Before it is referred to the Fog-Signal Committee, I will point out that we have recommended to the Conference that, in a fog, a tug towing another vessel, a steam-tug, or a sailing-tug, or any other tug, should be compelled to sound a special sound-signal. So, before you refer this to us, I hope the Conference will be explicit as to what they do refer to us. I would like to have them declare whether it is only to a steam-tug towing, or whether it is to a sailing-vessel towed, or whether it is to a sailing-tug towing or a steam-ship towed.

Mr. Hall (Great Britain).—Mr. President, I beg to make a motion upon that. We have adopted the principle. We have all agreed that a steamer towing should have a distinctive signal, as that is a matter of common occurrence. But I do not think it would be wise to decide, off-hand, to give a distinctive whistle or sound-signal to a sailing-vessel towing. I think that is a matter which should be considered very carefully by this Conference before its adoption. I venture to move, first, that the question as to whether a sailing-vessel towing should have a distinctive signal should be reported on by the Committee on Sound-Signals. At present we know that such cases are comparatively rare; but as it is most important not to increase the number of sound-signals more than is absolutely necessary, I would suggest that the matter should be very carefully inquired into, as will be done by the Committee on Sound-Signals, before we decide upon the principle that a sailing-vessel should have a distinctive signal.

I would therefore move that section (*f*) be referred to the Committee on Sound-Signals to report as to the desirability of any such signals; and, if so, what the signal should be.

The President.—It is moved by the Delegate from Great Britain that subsection (*f*) be referred also to the Sound-Signal Committee.

The motion was put to the Conference, and carried.

The President.—The new subsections (*e*) and (*f*) are referred to the Sound-Signal Committee.

Captain Malmberg (Sweden).—Mr. President, I will state the reason why I withdrew my amendment, and substituted, instead of it, the present one. It is true that it very seldom occurs that a sailing-vessel is towing another vessel; but I do not see any reason why you should not provide for such extreme cases, because it makes a great deal of difference in a fog, if I have to do with a single vessel, or with a vessel towing. I intended to propose a signal, as it is in this amendment, that a sailing-vessel towing should make a signal that this vessel had another vessel in tow; but I found that it was impossible to get through with that, because such a fog-signal made by the vessel towing another one would interfere with the signal which she is to make according to Article 14, depending upon which tack she is on.

To get over this difficulty I proposed instead to make the vessel towed give the signal. That is the reason I have substituted the amendment which I have just handed in, that when a sailing-vessel is towing another vessel, the vessel which is towed shall have to make the signal, and that will then not interfere with the fog-signal which a sailing-vessel has to make, according to the Regulations. I understand very well that it is a complicated thing; however, I think I will bring it before the Conference to be decided upon.

The President.—Does the Delegate desire to have a vote taken upon that proposition now? It will save the time required to go back and go over it again in the future. As soon as it is prepared I will submit it to the Conference. The Delegate from Sweden proposes to substitute for amendment 85 (*f*) the following amendment, which will be read by the Secretary.

The amendment is as follows:—

"When a vessel is towed by a sailing-vessel, the vessel towed shall make on her fog-horn, at intervals of not more than two minutes, four blasts in quick succession."

The President.—The question will be upon the substitute, which is to be referred to the Fog-Signal Committee. If it is to be printed it will have to go over and come before the Conference at some future time.

Captain Malmberg (Sweden).—I have only handed it in to be printed in the proper manner and laid before the Conference, and if the Conference will allow it, then let it be referred to the Committee on Sound-Signals.

The President.—Is the Conference ready for the question upon the substitute for paragraph (*f*)?

Captain Sampson (United States).—Mr. President, it seems to me that that is a privilege which belongs to the Delegate. It is simply presenting a new amendment, and that I understand he has the right to do at any time.

The President.—The question is whether it shall be received by the Conference now, or whether it shall be printed for further consideration.

Captain Malmberg (Sweden).—It must be printed. But I would like to take a vote upon the question, if the Conference will permit it, as to whether they think it worthy of being referred to the Committee on Sound-Signals, or to throw it out altogether.

Mr. Hall (Great Britain).—Mr. President, I think the learned Delegate from the United States will be able to lay a motion before the Conference which will provide for this and similar cases and save considerable time.

Mr. Goodrich (United States).—Mr. President, a motion to commit being in order, after consultation with Delegates at the other end of the table representing the various Powers, I desire to present the following Resolution :—

"*Resolved*,—That the former Committee on Sound-Signals should consider and report the specific cases in which new fog-signals should be adopted, and report the specific signals in such cases."

The President.—Is the Conference ready for the question on the Resolution?

The Resolution was put to the Conference, and adopted.

The President.—The Delegate from the United States, Mr. Goodrich, now has the floor.

Mr. Goodrich (United States).—Mr. President, by the courtesy of my friend from Siam there has been pointed out to me the case which I had in my mind, and to which I referred just now when I addressed the Conference. I will read the following observations of Jessel, Master of the Rolls, upon the construction of these Rules :—

"It must be remembered what these Rules are. They are issued for the guidance of masters of vessels, and therefore the proper mode of construing them is to read them literally. Certainly, Rules issued as these are should be construed literally, if they can be construed at all."

The difficulty in my own mind is that when you say "at anchor" you do not also give the words "not under way." If you would reverse the situation and leave the Rule as it was before, and say "a vessel not under way," I will agree that it would include the case of a vessel at anchor; but the difficulty in my mind is that when you put the words only "at anchor" you exclude the condition of things which I speak of, of a vessel not under way. However, if the Conference is of opinion that it is proper, in conformity with the precedents already adopted, I will move that the definition as to what is meant by the words "a vessel at anchor" and "under way" be referred to the Committee on Collocation.

The President.—Is that in the form of an amendment or a Resolution?

Mr. Goodrich (United States).—It is a Resolution to commit.

Mr. Hall (Great Britain).—Mr. President, I will point out that there is already an amendment offered by the learned Delegate from Siam to define the words "under way." If so, is this Resolution necessary?

Mr. Goodrich (United States).—I will strike out the words "under way." The Resolution is that the words as to what is meant by "a vessel at anchor" in the Articles, be referred to the Committee on Collocation.

Mr. Hall (Great Britain).—Mr. President, the learned Delegate will remember that yesterday there was almost a unanimous opinion that the meaning of the words "at anchor" was plain and unmistakable, and that it was not necessary to put it in the code of definitions. I do not think it can be suggested that there is any doubt about the meaning of the words "at anchor." The Delegate has pointed out that there is some doubt as to the meaning of the words "not under way," and therefore defined the words "not under way." I apprehend that it would be absolutely unnecessary to attempt to define the words "at anchor," because, as I have said before, the Delegates and the seamen who have addressed us have told us that there is no difficulty in regard to the meaning of those words.

Mr. Goodrich (United States).—I thoroughly agree with my friend in the ordinary case; but the Conference has taken out the words "not under way" and put in their place "a vessel at anchor." Now, the Courts will say, Why did the Conference which made this Rule take out the words "not under way" and substitute the words "a vessel at anchor"? Do they mean to exclude a vessel "not under way" and apply this language only to vessels "at anchor"? We all agree what is the effect of it; but unfortunately all the Courts do not agree with us.

Captain Bisbee (China).—Does not the definition of "under way" given by the Delegate from Siam cover every vessel which is not at anchor?

Mr. Goodrich (United States).—I do not know what the Collocation Committee might say to that. I see no objection to referring the words "at anchor" to that Committee. That will bring the words before that Committee. They may reject them. I don't know anything about that; but it will dispose of the question.

Mr. Hall (Great Britain).—Mr. President, we have endeavoured to follow the very excellent advice of the learned Judges, whose remarks have just been given by the Delegate from the United States, and to use words about which there could be no dispute, and use them in their literal sense. The words in the original Rule, "not under way," the Delegate states, are not clear; and there is doubt about the meaning of those words. Therefore, we inserted instead of those words the simple words "at anchor." I apprehend that we have taken the very steps to prevent the possibility of a doubt. We have put in the words "at anchor," about which there can be no mistake, and about which there can be no conflict in decisions.

The President.—Does the Delegate from the United States desire to offer the Resolution?

Mr. Goodrich (United States).—I do.

The President.—The Resolution will be read.

The Resolution is as follows:—

"*Resolved*,—That a definition of what is meant by 'a vessel at anchor' in the Regulations be referred to the Committee on Collocation."

The Resolution was put to the Conference and lost.

The President.—The next subject for consideration is the eighty-third amendment, which has been in principle already decided. The Secretary will please read it.

The amendment is as follows:—

"Steam- or sailing-vessels should also make some sound signals in a fog, mist, or falling snow."

Mr. Verbrugghe (Belgium).—It was my intention here to direct the attention of the Conference to the point that there were no sound-signals given for sailing-vessels being towed, but that case has been dealt with already.

The Secretary.—I will mention that this amendment is not printed correctly, and that it should read "sailing-vessels being towed."

The President.—The next subject for consideration is extra amendment No. 5.

Captain Van Steyn (the Netherlands).—I take it that it is not necessary to deal again with this amendment, except with the two last lines.

The President.—Does the Delegate from the Netherlands desire to suggest that this should be submitted to the Conference? It is not in the nature of an amendment.

The Chair would suggest that the Delegate from the Netherlands put his idea in the form of a Resolution, and it might be referred, as the others have been, to the Fog-Signal Committee.

Captain Van Steyn (the Netherlands).—The same thing will come back in extra amendment No. 16, Article 2, proposed by Captain Shackford, in the last paragraph, about the distance to be given to any sound-signals.

The President.—The Delegate from the Netherlands desires to offer the following Resolution, to take the place of the suggestion contained in his extra amendment No. 5.

The Resolution is as follows:—

"*Resolved*,—That the above-mentioned instruments be of such a strength as to be heard in clear, calm weather, a steam-whistle or blast of the fog-horn 1 mile, and the bell half-a-mile."

The President.—Does the Delegate desire to have that referred to the Committee on Fog-Signals.

Mr. Goodrich (United States).—May I call the attention of the honourable Delegate from the Netherlands to the fact that in Captain Shackford's amendment (extra amendment No. 16) there is such a provision as that?

Mr. Verney (Siam).—May I suggest that the word "clear" perhaps is not intentionally put in? Professor Tyndall has shown that often clear weather is the very worst weather to hear a signal, because in clear weather the atmosphere is generally of unequal density and therefore not favourable for the transmission of sound. Captain Shackford has used the words "calm weather."

Mr. Hall (Great Britain).—I will also point out that Professor Tyndall has also shown that although the weather is perfectly calm, yet it may be a very bad day for hearing sounds. It is very difficult to lay down any rule as to in what weather you can hear sounds the best.

The President.—The question is upon the Resolution of the Delegate from the Netherlands, which will now be read.

"*Resolved*,—That the above-mentioned instruments be of such construction as to be heard in clear, calm weather—the steam-whistle and fog-horn 1 mile, and the bell one half-a-mile."

Captain Mensing (Germany).—I would like to state that besides Professor Tyndall, Professor Henry, of the United States, has made experiments, in which one of these immense steam-whistles at one time had been heard only half-a-mile, though the force of the wind was but 3. There are so many difficulties in the way of making a standard of measuring the distance at which a sound can be heard that I do not believe it possible to carry it into practice.

Captain Malmberg (Sweden).—I may state that I am of the same opinion as the honourable Delegate from Germany. I have myself been making some experiments for our Government; and in our opinion it is not possible to fix the standard for any sound-signals, as to the distance at which such signals can be heard.

Captain Mensing (Germany).—Mr. President, I would like to state that in Germany we have made experiments with sound-signals, and we have come to the same conclusion. I certainly think that before we attempt to lay down a rule as to how far sound-signals should be heard, we should be in possession of more data, and in possession of the very best information as to whether such a thing be possible, and until we are in possession of such information I think it would be very unwise to lay down the maximum or the minimum distances within which fog-signals in any kind of weather should be heard.

Captain Sampson (United States).—Mr. President, I agree entirely with the learned Delegate from Germany as to the impracticability of fixing a standard with our present knowledge of the subject, without making actual experiments to determine the range under normal conditions of these different instruments. But it seems to me that special causes which have been observed and which were referred to by the Delegate from Germany, are not an argument against establishing some minimum standard.

It is evident that if we prescribe signals without any such limit, that a vessel might comply with the Rules and still produce a very little noise. Under certain conditions of the atmosphere it is well known that sounds shatter, and in the case referred to by the Delegate from Germany, it is thought probable that, although this sound was heard probably for the distance of 1 mile, if he had gone off 3 or 4 miles he would have heard the same signal. The position to which he refers was probably one of those abnormal conditions where the sound was not heard in that particular place. But evidently this is a difficulty which will always exist with reference to sound-signals, no matter what they may be, and I think it will be very wise to prescribe a minimum intensity for the sound, so that in complying with the law a sufficiently loud sound shall be obtained to answer the purposes which we aim at in the Rule.

Mr. Hall (Great Britain).—Mr. President, I would point out that the word "efficient" is put in to require the vessel to have a proper instrument. It is used because it was thought impossible at that time to decide the actual distance to which the sound would penetrate. I do not know whether or not, having regard to the absence of any experiments, the better course would not be, as we are unable to deal with this for want of data, that we should suggest in a note as one of the results of the deliberation in the Conference, to the various Powers, that it is desirable that experiments should be made in order to arrive at the distance at which signals are capable of being heard.

Captain Mensing (Germany).—Mr. President, I think that the greatest difficulty with the sound-signals is with regard to the bell. I have been told that the bells in coasting vessels are sometimes as small as table bells. It would be very easy to correct this by providing that they should have a diameter of at least 8, 10, or 12 inches. I think this would make it unnecessary to go into further detail.

Admiral de Spaun (Austria-Hungary).—Mr. President, in regard to the bells, I do not think that the diameter alone will answer the purpose, because, although the diameter is fixed, the material of which they are made will make a difference. If they are iron or cast-steel bells you cannot hear them. The diameter alone is not enough. The material must be taken into consideration.

The President.—The Chair would like to receive a motion from some of the Delegates with regard to what disposition should be made of this subject. It seems to be in a very muddled condition at present. The Chair would like to hear a suggestion as to whether it should be referred to the Sound-Signals Committee.

Mr. Hall (Great Britain).—Then, Sir, in order to get the discussion in order, I will move a Resolution that it is desirable that the minimum distance should be fixed at which these signals can be heard, and call the attention of the various Powers to that Resolution in a note. That will invite them to make experiments. I think we are all agreed that at present we are not in a position to prescribe a minimum distance. Therefore I will move that it is desirable that there should be a common standard as to the minimum distance at which whistles, fog-horns, and bells should be heard in ordinary weather.

The President.—Will the Delegate from the Netherlands accept that as a substitute?

Captain Van Steyn (the Netherlands).—Yes, Sir.

The President.—Will the Delegate from Great Britain be kind enough to put that in writing? I will put the motion to the Conference now, and it can be handed in afterwards in writing.

The motion was put to the Conference and carried.

The President.—I desire to say that when the Conference adjourns to-day it will be to meet on Monday at 11 o'clock, at Wormley's, at the corner of Fifteenth and H streets. The papers, documents, &c., belonging to the Delegates will be moved and placed at their seats in the new rooms, where we meet on Monday, November 11, if they will mark them with their names and place them on the table.

The Secretary will read a letter for the information of the Conference.

The letter is as follows:—

"Sir,

"I am to read a paper before the National Geographical Society of Washington next Friday evening, the 15th instant, on 'The Laws of Storms,' with special reference to the North Atlantic. Will you kindly inquire if any of the Delegates to the International Marine Conference will honour the Society with their presence on this occasion, and extend a general invitation to them to do so? I am authorized to state that the Society will be very glad if several of the Delegates will consent to address the Society and discuss my paper, or give us the benefit of their own experience in ocean storms.

"The great importance of information and knowledge of the latest advances which have been made on the subject, and the important modifications that are necessary in the practical application of the old eight-point Rule, leads me to hope that at least several of the Delegates will consent to speak

before the Society and allow us to print their names on the programme as participants in the discussion.

"Very respectfully,
"(Signed) EVERETT HAYDEN."

The Conference thereupon adjourned until Monday morning, November 11, 1889, at 11 o'clock A.M.

Washington, D.C., Monday, November 11, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

Mr. Hall (Great Britain).—Mr. President, before proceeding to discuss the business of to-day I should like to be permitted to make a statement with regard to the Programme which is now before the Conference in its entirety.

The Delegates will remember that at the opening of our proceedings I stated that Her Majesty's Government had instructed us to confine ourselves to the discussion of Divisions I and III, as the scope of the Programme appeared to them too extensive to afford the prospect that the Conference could arrive at valuable conclusions on all the subjects proposed within any session of reasonable duration.

I also pointed out that these instructions were prompted by an anxious desire on the part of Her Majesty's Government that there should be a practical outcome of the proceedings of the Conference.

Since that time, however, the Conference, owing in a great measure to the assistance it has received from the various Committees which have dealt with matters included in Division I, has made more rapid progress than we had anticipated, and we are able now to form some approximate forecast of the time necessary for the completion of that Division and of Division III.

Under these circumstances I have much pleasure in stating that Her Majesty's Government have instructed us to discuss the rest of the Programme, and that, acting upon their instructions, we have at once telegraphed home for all papers and technical assistance necessary. We hope to have the assistance of experts in meteorology and construction of vessels so as to be able personally to lay before the Conference the information and knowledge in our possession, and I have the authority of my colleagues to say that they will be most happy if they can contribute anything which will be of use and assistance to the Conference in the consideration of these questions which are of so much importance to the whole of the maritime world.

Mr. Goodrich (United States).—Mr. President, I am sure that I express the unanimous sentiment of the Conference when I say that we heartily rejoice at this new action on the part of the Delegates from Great Britain, and that we shall be glad to discuss with them, and to have their assistance in discussing the great subjects which are embraced within the Programme.

In the appointment of Committees on the various Divisions of the Programme the Conference will remember that Committees were appointed upon all of the general Divisions except Division No. I. Those Committees consisted of seven members each, and on those Committees, with the exception of the Committee on Division No. III, Great Britain was not represented, because it had at that time declined to discuss these subjects.

I move, Mr. Chairman, that the several Committees be increased, each by two, and that the Committee on Collocation also be increased by two members.

The above motion was put to the Conference, and carried.

Mr. Goodrich (United States).—Mr. President, the Delegates from Great Britain have kindly handed to me, and perhaps to some other members of the Conference, the Report of the Load Line Committee, published in London in 1885. This Report will be of very great assistance to the Committee on General Division No. III, "The Uniform Maximum Load Mark;" and, as I understand the Delegates from Great Britain have a very few copies of this paper, I move that it be printed and referred to that Committee.

The motion was put to the Conference, and carried.

The President.—The next business in order will be the introduction of any amendments which any Delegate may wish to make to the Rules of the Road. If there are no amendments, the next order of business will be extra amendment No. 37, which was laid over for consideration on Monday. The Secretary will please read it.

Extra amendment No. 17, as amended 7th November, 1889, to be printed and considered Monday, 11th November, 1889:—

"Article 1. In the following Rules every steam-ship which is under sail and not under steam, or which is being towed, is to be considered a sailing-ship, and every steam-ship which is under steam and not being towed, whether under sail or not, is to be considered a ship under steam."

Mr. Hall (Great Britain).—Mr. President, the members of the Conference will remember that when this matter was brought forward on a previous occasion, I called attention to the fact that the Delegates from the Netherlands had also given notice of an amendment to meet the same point which we had in view, and that was to prescribe a light for vessels being towed and for a steamer being towed. At that time I pointed out that inasmuch as that amendment was headed "Lights for Sailing-Vessels," I thought it was perhaps rather a misnomer, and that it would be more suitable to bring it under the heading "Definitions of Steam- and Sailing-Vessels." We did think so until the valuable discussion which took place on Friday, when it was pointed out that there might be some doubt as to whether or not a steam-vessel under tow should carry the mast-head light as well as the side-light.

Accordingly, we have considered the matter very carefully during the time which has elapsed, in the endeavour to see what would meet the wishes of the Conference best, and what would really be the simplest form of arriving at the desired conclusion. The conclusion to which we have arrived is, that, having regard to the difficulty which was pointed out with regard to the steamer being towed, it would be no longer desirable to endeavour to carry that idea into effect, by merely a change of the definition of "steamers," which would make the definition too complicated.

Therefore we thought it desirable to adopt the principle which had been used by the Delegates from the Netherlands in their twenty-fourth (*a*) amendment, and we should have proposed to adopt that proposal as a very good one. But since that, through the courtesy of the learned Delegate from the United States, a suggestion has been made which I hope he will lay before us. He proposes to meet this object by even more simple words, and I understand he is prepared to move an amendment to add after the words "sailing-ship under way," the words "and any vessel being towed." That will include a steamer and will include a sailing-vessel. If he will move that amendment, we will give it our hearty support. My motion is to adopt amendment No. 24 (*a*), subject to the amendment of the Delegate from the United States.

Many members will find the amendment 24 (*a*) withdrawn, because the Delegate from the Netherlands kindly withdrew it when I suggested that it would perhaps come better under Article 1. It was bound up in the book under Article 6. Of course the Delegate from the Netherlands will see that the heading would be, if introduced, a misnomer, and that heading is not in the original Rules. But a great many of us in reading this print would think that the heading belongs to the Rule; whereas, I have no doubt it was only put in to call the attention of the Delegates to what the proposition was. I do not propose that heading, but I adopt the principle of the amendment without the heading, subject to the suggestion of the learned Delegate from the United States.

Mr. Goodrich (United States).—Mr. President, I propose an amendment to Article 6; to strike out the word "or" after the words "a sailing-ship under way," and insert in place thereof the words "and any vessel," so that it will read, "A sailing-ship under way, and any vessel being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light, which she shall never carry." That will make a simple system of lights for any vessel or any number of vessels, if you choose, which are being towed, whether they be steam-vessels or sailing-vessels, or whether they be vessels partly under steam and partly under sail, and every vessel being towed, whether under steam or under sail, or under either or under both steam and sail. They shall have the same lights as are required for sailing-vessels, namely, the running side-lights. Of course, if any one desires to be heard upon the question which we have already thoroughly discussed, the matter will have to be printed and laid over. But it is simply a matter which has been often discussed, and I think the Conference is ready for the question now. I suggest that we take it up without further debate and delay, unless some one wants to discuss it.

The President.—Is the Conference ready for the question? The Secretary will please read the amendment as it now stands.

The amendment is as follows:—

"A sailing-ship under way and any vessel being towed shall carry the same lights as are provided by Article 3 for a steam-ship under way, with the exception of the white light mentioned in Article 3 (*a*) which she shall never carry."

The amendment was put to the Conference, and carried.

Mr. Hall (Great Britain).—Mr. President, I would point out that all the words have not been read; for we have already carried an amendment adding the words, "mentioned in Article 3 (*a*)," after the words "white light." No doubt our Secretaries, who assist us so much, will see that these words are inserted when the Rule is drawn up.

Captain Malmberg (Sweden).—Mr. President, I only want to ask one question for information. If Article 6 is to read, "a sailing-ship under way, and any vessel being towed," how is Article 1 to be read?

Mr. Hall (Great Britain).—I have withdrawn my amendment to Article 1. We propose to leave it as it originally stood, subject, of course, to the change of the word "ship" to "vessel."

Mr. Goodrich (United States).—Then extra amendment No. 17 is withdrawn.

Mr. Hall (Great Britain).—Yes; extra amendment No. 17 is withdrawn, and extra amendment No. 37 is withdrawn.

The President.—The next business in order is the motion to withdraw extra amendment No. 17 and extra amendment No. 37.

The motion was put to the Conference, and carried.

The President.—The next business in order is the continuation of Article 12.

Mr. Hall (Great Britain).—Mr. President, may I point out that there are two amendments which have stood over, and which should be taken up before we have finally disposed of Article 3? They are amendments which stood over for printing, and I think it desirable that we should deal with them in order, and finish the whole discussion as to lights. When we have finished with these two amendments we have finished with the Article as to "Lights," subject to the exception of lights for small vessels. These two amendments are extra amendment No. 28 and extra amendment No. 32. The former stands in the name of the learned Delegate from the United States, and amendment No. 32 in the name of his colleague, with regard to vessels in the North Atlantic trade. I think the first in order is extra amendment No. 28, which is a proposal for auxiliary side-lights.

The President.—If there is no objection the suggestion of the Delegate from Great Britain will be carried out that extra amendment No. 28 to Article 3 be taken up for consideration.

Mr. Goodrich (United States).—Mr. President, I will have to ask the indulgence of the Conference if I speak at some length upon what I deem to be a most important subject. My colleague has

playfully accused me of having gone off after strange gods. Those strange gods are those which, in a certain sense, I worship at this time. We must remember, in approaching the subject of the auxiliary side-lights, that the world has grown since the side-lights were adopted, and is still growing. We must remember that commerce is increasing her white wings on every sea, and the Rules which would have been sufficient for the shallop in which Columbus discovered America are not sufficient for the commerce of to-day.

The importance of this subject is punctuated and emphasized by the fact that so many amendments have been proposed by Delegates from every Power upon the subject of additional lights to secure the safety of vessels at sea. One Delegate proposes a system of range-lights; another Delegate proposes another system of range-lights of a different character. The Conference has already decided upon the question of range-lights, because it is admitted to be impossible to carry range-lights upon sailing-vessels, and the distinction between lights on sailing-vessels and lights on steam-vessels must be as little pronounced as possible, and yet of such a character that the two classes of vessels may be easily distinguished at sea. I am free to say that if there could be a system of white range-lights for sailing-vessels and steam-vessels I would heartily vote for it. I would vote for it even to the exclusion of the coloured side-lights, to the use of which this Conference has already expressed its adherence. But we have all agreed that this is practically impossible.

I start, therefore, with the idea that, in the opinion of the Conference, or in the opinion of many members of the Conference, the present system of coloured lights is one the use of which should not be changed, and that a system of range-lights is of the last importance. In making any change in the system of lights, I agree that we should be cautious, but, at the same time, not too cautious, not timid.

If we can see, Gentlemen of this Conference, a positive benefit to result from a change, do not let us be afraid to make it even at some risk and some expense to vessel-owners. I have a clientage, as every other lawyer in Admiralty has, amongst both steam-vessels and sailing-vessels, and I should be very loth to do anything which would interfere with the interests of either. I am only seeking that which is to the best interest of all the community. But, say some of the members of this Conference, do not make legislation which will not be obeyed! I differ from you. Let us make legislation, obedience to which shall be enforced hereafter by penalties to be inflicted by the several Governments which adopt our Report. Let us protect the weakling and the fool. Those are the people who are most dangerous of all to the community, even above knaves. If a man is so foolish that he will not protect himself, society throws guards around him and compels him to protect himself. So let us do in this Conference, if we can.

Let me call your attention to the English Lloyd's Report, as to the number of collisions on the high sea between 1871 and 1886. There were 2,163 collisions annually during that period, of which one-half happened at night.

Mr. Hall (Great Britain).—Will the learned Delegate kindly tell me what Report he is reading from.

Mr. Goodrich (United States).—The English Lloyd's Report.

Mr. Hall (Great Britain)—Of what date?

Mr. Goodrich (United States).—It must have been after 1871.

This results in an appalling loss of life and property. It is for just that purpose, that at great expense to the nations and great inconvenience to the Delegates, this Conference is gathered. Steamers travelling at the rate of 20 miles an hour have added heavily to the risk of collision, and require additional precautions to prevent them. I may say here, simply in passing, that these greyhounds, these great ocean steamers, constructed as they are with bulkheads athwartships and longitudinally, feel a sense of safety for themselves, and so perhaps become a little more careless in regard to what happens to other vessels with whom they are drawn into collision, by that very idea that they are themselves beyond the danger of loss.

Look, for instance, at the steamers proceeding across the Banks among the fishing-vessels, at the highest rate of speed. Even some of the members of this Conference say that the utmost safety lies in a speed which will carry a vessel through the surrounding dangers in the smallest interval of time. Now, let us see upon this subject as to the Committee's Report. I agree, generally, with the theory that where a Committee has dealt carefully, extensively, and prudently with the subject, their Report is to be adopted. But that is a rule to which slavish obedience is not required. If we can, ourselves, see that something can be done which is better than the Report of the Committee, let us follow our own instincts and overrule our respected and diligent Committee.

Let me see what our Committee say. On p. 1 of the Report, the Committee on Lights, in the last paragraph say:—

"Before entering into a more detailed discussion of the proposals submitted to the Conference regarding lights, the Committee feel it their duty to say that it is absolutely necessary to be as conservative in regard to the existing Rules concerning lights as possible. It has to be borne in mind that these Rules, after being nearly forty years in force, have become as familiar to every seamen as if they were carved in iron letters and so impressed on their minds. Every change, therefore, has to be considered most seriously before its adoption, and this should be done only when considered absolutely necessary. Otherwise such an adoption may lead to confusion, and this probably would beget serious danger to life and property at sea, for the better protection of which this Conference is assembled.

"Bearing this in mind, the Committee beg leave to state that, although they have no direct evidence of the insufficiency of the present system of lights, they nevertheless are of the opinion that the Regulations actually in force are insufficient to make the presence of a sailing-vessel known to a fast steamer approaching her, soon enough to give the latter ample time to keep out of the way.

"For if a steam-vessel has to keep out of the way of a sailing-vessel, then it is clearly the duty of the latter to make her presence known soon enough to make it possible for the steam-vessel to comply with the Regulations.

"In this respect the side-lights at present shown by sailing-vessels and the white flare-up light exhibited astern are not satisfactory. It is considered, therefore, desirable that some plan be found whereby the presence of a sailing-vessel should be indicated at a greater distance than under the present Regulations."

In other words, our Committee, with its great experience and after careful research and investigation, have instructed the Conference that the present system is totally inadequate to the necessities of a changing and rapidly growing commerce.

Now turn to p. 7, at the bottom of the page, where they speak of the way in which range-lights are made use of—and I understand they are speaking of the Fletcher system modified—the Committee say :—

"The greatest advantage of the above system, in the opinion of the Committee, is that a small change in the course of a steamer approaching end on, or nearly so, is at once and unmistakably indicated."

On p. 8 they say, in conclusion :—

"Range-lights, if properly placed and fitted, indicate under certain circumstances a ship's course in a more accurate way than at present. This is of some advantage, and therefore, in the opinion of the Committee the optional introduction of some such system may be proposed for the favourable consideration of the Conference, adding, however, that no definite system should be decided upon for adoption before this subject has been more fully studied and a larger number of experiments under different circumstances have been carried out."

I said before that the Committee have come to a conclusion which, under ordinary circumstances, we would accept, but the question for the Conference to-day is whether the conclusion is justified after the statement of facts to which I have called your attention. In the first place the Committee itself say that the present system is totally inadequate. Gentlemen of the Conference, I lay before you a question of your duty, under circumstances when your Committee, after careful investigation, say the system is wholly inadequate to the necessities of commerce ; what is your duty? But, gentlemen say, be cautious ; do not interfere with what has been established and in existence for half-a-century : Let us go slowly. I say, gentlemen, if we find the system, as stated by our Committee, is inefficient do not let us be too timid to touch the Ark of the Covenant ; let us touch it, if we can touch it, for the public welfare ; and do not let us be afraid to do our duty.

Now, come to the system of this auxiliary light, as reported by the Committee, on p. 8. They give certain premises as the foundation of their conclusion, and the Committee say :—

"There are certain general objections to the introduction of a system which, in some cases, would require double the number of lanterns carried at present, and more, and it is considered advisable to state these before going into further particulars."

The system to which I have just called your attention requires but one more light than the system which this Conference has recommended. It has recommended the adoption, in a certain sense, of a stern-light. It has recommended the optional right to use a stern-light. Does any gentleman doubt what the result of that will be? You give to a sailing-vessel, which is a privileged vessel, the right to carry a stern-light to warn an overtaking ship of her position. Does any gentleman of this Conference suppose that in five years from this time the carrying of that stern-light will not become almost universal? Let us seek an example. The nineteenth Rule provides that a vessel having other vessels in sight shall give the helm-signal. That was put into operation ten years ago. Does not every sailor around this Board know that the use of these helm-signals has become universal? So far as my experience in our waters is concerned, it is practically universal. What will be the result if you adopt this optional Rule? You will have another stern-light. If that be true, the system to which I refer will only add one other light to those already in use.

The Committee say further :—

"It has been found very difficult to compel certain classes of ships to carry the lights prescribed for them by the Regulations actually in force. It has to be expected that had they to carry double the number of lanterns there would result, presumably, still more cases of non-compliance with the law."

That strikes me as a very extraordinary argument. There was just as much opposition years ago, when the first Rules were adopted, to the compulsion of a vessel to carry two coloured side-lights. The law stepped in and said : Carry your coloured lights. The law imposed a burden upon vessels which heretofore had not been carried. After awhile, with much grumbling and some inconvenience, these lights came into vogue and use, and the whole maritime world not only approved their use, but the Delegates representing the maritime Powers of the world have here and now expressed and approved the carrying of these lights and their use. Since that time we have advanced a thousand years upon the sea. Are we in a condition now in which we can afford an additional burden for the public welfare and safety? That is the question before the Conference. If a sailing-ship is to have a privilege, let her pay for it. The burdened ship has great responsibility upon her; I have heard gentlemen around this Board say, what I have said myself, give the burdened ship every element of knowledge within the power of the privileged ship, by which the burdened ship shall know the location, direction, and movement of the privileged ship which she has to avoid.

I say, although it does impose an additional burden, that the burdened ship should be relieved

by the privileged ship. How much of a burden? As I understand the custom of the sea, the lights are in practice fixed at sunset and remain until sunrise. How often are they trimmed in the night? They are trimmed when they need it. How much additional expense will the maintenance of two extra lights upon a ship during the night be?

Captain Shackford (United States).—Sailing-vessels usually buy the cheapest oil.

Mr. Goodrich (United States). They should be compelled to buy the best. The Committee go on to say:—

"The care of a large number of lanterns would require more men than could be spared for such service on board of small vessels."

How many men are embraced in that proposition? I should think that the officer in charge of the deck could easily see to them without any great waste of time, without any great expense to the vessel, or any increase in the complement of the crew. Besides that, the place at which, under the Rule as amended, it is proposed to place these lights, brings them immediately within the notice of the helmsman or the man who has charge of the deck. As I understand, our system as adopted in the Rules already in force requires four things: It is to tell an overtaking vessel the direction, speed, and distance of a vessel which is overtaking her, and to tell whether that vessel is a privileged vessel or not, and to point out to her—and this is the most important of all—the danger arc into which the approaching vessel may not enter; the danger arc in which there is risk of collision, and the safety arc outside of the danger arc, into which, when she has gone, the approaching vessel may be entirely free from any apprehension of any collision or any damage whatever.

We all agree, I think, practically, that the range-light system, if it could be adapted, to sailing-vessels and steam-vessels would be the very best thing that could be adopted; but, practically, it is impossible to adapt it to sailing-vessels, and therefore the question with us is what is the next best system? The answer to that is, that all vessels can carry the auxiliary light, and I am not talking of expense now, but of the simple practicability of it. I suppose that the Delegates have all been supplied, as I have been, with documents of one Company. I understand by the Report of the Committee on Lights that there were before them, as shown by the Appendix, the systems of G. T. Parry, of Captain Manzanos, of Captain Bainbridge Hoff, of Lieutenant Littrow, of Lagerwall, the system tried on board the United States' ship "Yorktown," the Giratt system, and the Coulston system.

I am not here to advocate any patent. I said early in this Conference that this Convention is not to be devoted or used for helping any man's pockets or any man's patent. I am talking of a system, and there are six or seven systems which the Committee have investigated.

Now, if the gentlemen will turn to the Report of the Committee on Lights, to the system of Parry, the whole thing can be seen at a glance. In the first place, under the present system of running side-lights, I need hardly say to sailors that the coloured lights show from a point directly ahead to two points abaft the beam. These coloured lights remain where they are, substantially. Another coloured light or auxiliary light of the same colour as the forward light is to be placed aft, and as far aft as possible, and perhaps in the same horizontal plane as the forward light. I think that is a matter of entire indifference. This after or auxiliary light is shielded so that the light is excluded from the vision of the approaching vessel, unless the vessel is more than two points on the bow. When the vessel upon the bow is seen, or passes from the sector or two points on the starboard side, the auxiliary light on that side opens and continues open, as the light is shielded, from two points on the starboard side of the bow to two points abaft the beam on the starboard side. In other words, there is an arc of eight points on the starboard side of the ship, where the two starboard lights are shown.

Now, will the gentlemen stop a moment and think what that means? In the first place, if the approaching vessel sees either one of the present lights she is notified that the approaching vessel is somewhere within four points, two points on each side of the bow, and that sector of four points is the danger sector or danger arc, and out of that arc the vessel must carry herself as quickly and as speedily as she can. Now comes another sector of eight points, in which there is perfect safety. I need not say that if you can get vessels to show the same coloured side-lights to each other, you cannot get the vessels together. In the present system, as every one of us knows, there is an arc of ten points in which no one can say where the sailing-vessel is, or in which direction she is heading.

Let us eliminate that difficulty. Give the two points on the starboard bow in which there is danger and eight points in which there is safety; tell the approaching vessel to keep out of the two points on the starboard bow and go into the eight points on the starboard bow, and you are in a position of perfect safety, and tell this to the approaching vessel quickly. These auxiliary lights answer the purpose of range-lights. They answer a double purpose, as range-lights and as a means of notification, and, therefore, they really are range-lights, because the angle can be measured, in a certain sense, on a ship or steamer which carries the masthead light, by the distance at which these side-lights open. Now comes aft of this arc of safety a dark sector of a point. I do not think there is any particular benefit in that, as shown in one of the systems, over the other systems having no such arc. Now comes the other sector or arc aft, of six points on each side. Here is a danger which the Conference has seen, and in a certain sense, on that consideration, has suggested for the use of the world the carrying of a fixed light astern, in place of the temporary light which is carried now under the present Articles.

One of these systems, I notice, has in the after part of the auxiliary lantern a white clear glass, and you have got two stern-lights instead of one. They are always fixed. I need simply to suggest the benefit of such a condition to the mind of any sailor. Every man knows of cases where an overtaking vessel has run down the overtaken vessel on account of the absence of a stern-light, a fixed light, a white light, as is required by the old Rule and by the suggestions of this Conference in regard to the new Rule. Now, what have you got? You have got a system of range-lights. You have got

the auxiliary light, which will notify the approaching vessel of the exact course of a vessel whose light she sees. You have got a pair of stern-lights for the overtaking vessel, and you have got it all at the expense of one lantern above the system which this Conference wishes to adopt.

Gentlemen of the Conference, is it worth while for us to discuss the question of expense when the lives not only of the weaklings and disobedient men on board of sailing-vessels are concerned, but when the lives of those who traverse the ocean in the great steamers are brought into question? The gentlemen know better than I do what the expense of the light is. I doubt whether the expense of this additional light would be 5 cents a night with the best oil that is manufactured. With kerosene, at 90 cents a barrel, it strikes me that we may safely say, that mineral oil of some kind can be purchased at such a cost that vessels would not be compelled to pay more than 5 cents a night. What if it should cost 25 cents? It is not the question of expense, in my judgment, to which this Conference should address itself. It is the question whether these lights are good lights, and whether the system is what I say it is, what I believe it to be, a perfect system, and whether we shall indicate in this Conference an *ad referendum* code which shall go to our respective Governments. If the several nations shall then say that a sailing-vessel or a steamer must carry these lights, I believe the sailor will obey, and if he does not obey, let us have the law put into such a condition that it will inflict penalties upon him for the disobedience. If you will give the orders for these lights in this Conference and all the Powers adopt them, the Courts will visit with swift punishment the man who disobeys them.

In another view, this auxiliary light is a speaking light; it is a safety light. It speaks miles away to the approaching vessel. It says, "Here is the danger arc and here is the safety arc. Keep within the safety arc and out of the danger arc and you cannot get into contact." Is that of any value? Why, that is the system which we are trying to secure. And the only disadvantage—and I challenge observation and contradiction—the only disadvantage which I have heard asserted against this system of auxiliary lights, is simply that it imposes a trifling expense, and insists upon a little more care upon the part of sailors in preparing and equipping their ship, together with the furnishing of a little oil and an extra wick, and a little more careful oversight during the watches of the night.

One of the gentlemen has said to me that the auxiliary light could not be carried in such a position as to be seen by an approaching vessel; that it would be excluded by reason of the sails or booms. Measurably, that is so; but I notice that many vessels carry their coloured running-lights on the quarter, thereby showing that that is the very best place, in the judgment of the owners of those vessels, as to the place where the light should be carried. But the gentlemen will observe that the more the ship presents that safety arc the more clear that light becomes, because you look not parallel, but at a growing or increasing angle towards the side of the vessel, and the further the ship turns around and presents a light to an approaching vessel, the more easily can that light be seen. The benefit of this light is that it is a safety light—a speaking light. It gives certainty to her movements. It tells the burdened ship, or any ship which is approaching her, what course she is taking, and it saves that condition of being galleyed, about which so much has been said in this Conference.

I hardly need say to the gentlemen of the Conference that the most dangerous position of approaching vessels is when they are head to head. I am not talking of sailing-vessels, but the most dangerous position of two steamers is head to head.

[Cries of "No," "No."]

Mr. Goodrich (United States).—The gentlemen of the sea shake their heads. Of course I accept their correction. I will limit my statement by saying that vessels approaching head to head, without knowledge of the position or course of each other, is an exceedingly dangerous position. It is dangerous because they are in a sector in which they may not perfectly know the position, direction, or course of the approaching vessel; but this light is a speaking light; it tells the approaching vessel almost exactly the course which the other one is heading.

I do not call their attention to some of the Reports of the Committees which have been placed upon the table; but I do want to call the attention of the Conference to one Report. I have seen a copy of it, but have not got it at hand. It is a Report of the Navy Department made in 1884 by three officers of the navy, Commander B. H. McCalla, Lieutenant W. H. Reeder, and Lieutenant Theodore B. M. Mason, in which, after examining these lights and this system, and after practical experiments, they reported to the Navy Department in favour of the use of the system. I do not know what system; for I am only speaking of a system of auxiliary lights. I also find in that same Report that it was recommended by Captain De Littrow, of the Imperial Austro-Hungarian Fleet, who said: "The principal cause of collision at night lies in the defective system of lights which provides when under way one green light on the starboard and one red light on the port side. With only one light the change of the ship's course is not made sufficiently apparent to the eye, while with two lights of the same colour on each side any turn, however small, to port or starboard to avoid collision can be seen at once." It has also been recommended by Don José Ricard Girault, Professor of the Naval School at Barcelona, Spain, and by Commander W. B. Hoff, United States' Navy, who, I presume, is the gentleman whose system is referred to in Fig. 7 of the plate attached.

Lieutenant Schroeder recommends the use of the auxiliary lights, and says: "The chief objection to an additional light is the increased expense in the equipment of merchant-vessels;" but that should not stand in the way one moment. The system is also recommended by Don José de Darranja, of the Spanish Navy, and measurably by other persons.

Now, Gentlemen of the Conference, I am very much obliged for the attention which you have given me on this subject, because I believe that the system is as good a system as at present can be devised, and whatever may be the action of this Conference, I think some of us will live long enough to see a system like this adopted. I beg the gentlemen of the Conference not to be influenced by the simple fact that a little additional expense is imposed upon the vessel which has a privilege conferred upon her. Of course I know the argument that the neglecttul sailor who has two duties to perform

is twice as apt to neglect the two as he would be had he only one, but I think all that can be met by enforcing obedience by penalties, which the nations adopting the Report of the Conference can impose.

Mr. Hall (Great Britain).—Mr. President, the learned Delegate from the United States, in the opening remarks which he made in introducing his Resolution, told us that we ought not to be afraid to do our duty. I hardly think that was a necessary recommendation to the Delegates who are here to-day. I do not think there is any doubt that we shall do what we believe to be our duty, and that we shall do it without fear or favour. I may say, for myself, that I think it is somewhat unnecessary that such an observation should be addressed to us on this point. Neither do I think it necessary for me, on behalf of my colleagues, to enlarge on our desire to save human life. I suppose that we are all actuated by that desire. Our object in coming here is to adopt the very best Rules practicable to carry out the purposes for which they are intended, and I do not know that I could make it a bit more obvious if I laid stress upon that fact or repeated it again and again.

But I want to call the attention of the Conference to the discussion of this proposal, and to ask your kind attention to one or two points which have not been alluded to or brought before the Conference, although they are set out in the Report of the Committee on Lights; and I wish, first of all, to point out this fact: Here is a proposition made by the learned Delegate of the United States; he has referred to a document which is one of the many documents which have been showered upon us by a Patent Company, which professes to give the opinion of three gentlemen in the United States' Navy.

Let me ask this question: Is there a single one of the nautical Delegates of the United States who is prepared to support this proposition? Secondly, is the Conference aware of the fact that the sole Report of the United States' Navy, dealing with the question of double side-lights, has actually reported unfavourably against it. I do not think that some of the members of the Conference are aware of that fact. I will call their attention to it, chapter and verse, in a very few moments. And I will read to them from the Report of the Committee the only two instances of which the Committee are aware where these lights have been tried publicly. The Royal Navy of Spain tried the system and came to the conclusion that they could not adopt it; and the officer in charge of the experiment station of the United States' Navy was also unable to recommend its adoption. These are very pregnant facts.

Let me say one or two words more, first of all with regard to the introductory remarks of my friend, the learned Delegate from the United States. He read some papers to the Conference with regard to the number of collisions which took place at sea. There is no doubt that if you will take the number of collisions since the year 1872, they will give an enormous number; and he then stated that a large majority of them took place at night, and as I understood it, arguing from that alleged fact the importance of having good lights. I happen to have before me the Returns of the Board of Trade. I thought it desirable to get them as soon as he alluded to that fact, so that we should be able to put the Conference in possession of the latest data that we have. The Board of Trade has tabulated the number of collisions which have taken place by day and by night and divided them into a great many different classes, so that we can see what number of collisions have taken place by day and what number by night.

I think the members of the Conference will be surprised to learn that when we take the collisions which have occurred on or near the coast of the United Kingdom, and the collisions reported as having occurred to British vessels abroad and to foreign vessels on the coast, it will be found that they form more than one-half of the collisions which have occurred. As a result of these figures I find that actually fewer collisions have occurred by night than by day. The number is as follows: By day there were 645 collisions and by night there were 586 collisions. I do not, in putting these figures before the Conference, wish to be understood as wishing to underrate the very great importance of vessels being properly lighted to give all the warning that we can possibly expect them to do. But as I have said, we have to look at this as a practical question.

The learned Delegate of the United States told us that if we can see any benefit we ought to run some little risk if necessary, as well as expense. I will admit that if we see a positive benefit here our actions might be quite different from what they are when we see only a doubt of the benefit. I do hope the Conference will understand that this is not merely a question of 5 cents a day or night, but it is a question of the very greatest importance. My colleagues and I have discussed this question and we certainly cannot adopt it, having regard to the very strong Report of the Committee on Lights.

The learned Delegate from the United States read a part of the Report of the Committee; but that part of the Report which he read, with the exception of one paragraph, was dealing simply with the question of range-lights and not with the question of side-lights. He read two sentences, afterwards, about double side-lights.

I am now going to ask the Delegates if they will give me their attention while I refer to the Report of the Committee on Lights, with regard to this system of double side-lights. I think the Conference will see that this is not merely a question of a little additional expense. I do not think that these side-lights would be objected to by the members of this Conference for that reason; but they will be objected to because they have never been tried, and we have no data in our possession to satisfy us that we ought to adopt this proposition. I think it would be very unwise for us to adopt any proposition, however much we might think it to be a good one, without some information and data to go upon. I would only make one other remark, and that is this: That I think it is important—and I hope I am not occupying the time of the Conference too long—to call the attention of the Delegates to the various comments which are shown on p. 8 of the Report of the Committee on Lights. I wish to remind the Conference of this: I have said that I did not know whether the learned Delegate from the United States will be supported by any seaman amongst his own body of Delegates; but we know that there was a seaman on this very Committee who represented the United States, and he has not presented the slightest objection to this Report. Let me read what that Report says:—

"There are certain objections to the introduction of a system which in some cases would require double the number of lanterns carried at present, and more, and it is considered advisable to state these before going into further particulars.

"It has been found very difficult to compel certain classes of ships to carry the lights prescribed for them by the Regulations actually in force. It has to be expected that, had they to carry double the number of lanterns, there would result, presumably, still more cases of non-compliance with the law."

In the system proposed by the learned Delegate of the United States he says that it would require only one additional light. It would require two additional lights, because the stern-light is only an optional light and the vessels need not carry it. His proposition is to make all vessels carry two additional side-lights. The Committee says it has been found very difficult to compel all vessels to carry the lights which they now have to carry. Would it not be much more difficult to make them carry a double side-light?

Now, here is a point which was not touched upon by the learned Delegate from the United States:—

"The care of a larger number of lanterns would require more men than could be spared for such service on board a small vessel."

Sailors well know that there are many small vessels where you have only two or three hands, and immediately you increase the number of lanterns you increase the labour necessary to care for them. The Committee further says:—

"The cost of the outfit of every vessel and the cost of providing the illuminant would be considerably increased. It would probably not affect the owners of large steam-ships, but would not easily be borne by the man who owns only a portion of a sailing-vessel."

Then they refer to the proposals which have been submitted to them, and, without referring to them specifically, they say:—

"It is evident then that the course of a vessel, by the adoption of any one of the proposals submitted, could only be ascertained very approximately, and this advantage does not seem to the Committee important enough to warrant the recommendation of any of the proposals submitted to the favourable consideration of the Conference."

The Parry system was before this Committee, but they did not think it necessary to report specifically upon the Parry system. In fact, they seem to have preferred some other system, if there was any preference.

"It is true that by placing the lights on each side, at a certain defined distance from each other, it would be possible to estimate the course of a vessel more approximately than at present, at least when two lights are seen. Practically it would be most difficult to comply with such a proposition as this, and it therefore cannot be recommended. In addition to this it ought to be stated that, as far as known to the Committee, only a few experiments have been made with systems employing double side-lights at sea."

I ask the attention of the Delegates to this—for there can be no doubt that this is a system of double side-lights—the Committee says:—

"In addition to this it ought to be stated that, so far as known to the Committee, only a few experiments have been made with systems employing double side-lights at sea. The Royal Spanish Navy has tried it already in a squadron, and has found that the advantages gained by side-lights were not so great as to recommend their adoption. Neither have they given satisfaction to the officer in charge of the trials made in the United States (Report on Trials, reported above, p. 7, paragraph 4) that some of the advantages claimed for the system remain to be proved before they can be considered as having more than theoretical value."

Now, how can you vote in favour of any system of double side-lights with such a Report from the Committee, which I venture to say, so far as my opinion goes, is a most careful Report, a most practical Report, and a most exhaustive Report. They have considered this very question of double side-lights in a most careful manner; and so far as we are concerned, having regard to the very distinct nature of that Report, it is impossible for us to support the amendment which is now before the Conference.

Captain Mensing (Germany).—I hope I will not take up too much of the valuable time of the Conference if I try to show from the Report of the Committee that the statements in the Report do not exactly tally with the statements of the learned Delegate from Great Britain. I have to ask the pardon of the Conference if the language used in the Report is not as perfect as might be wished, and to state that the meaning of the words may be obscured a little; but certainly it is not desired to express in the Report of the Committee that the present system of lights which we have is totally inadequate. We have stated that it is not satisfactory; but that is worded, according to my knowledge of the English language, so as to convey a very different idea from *totally inadequate*. That was the opinion of the Committee, and we did not wish to state anything further than that the system was not satisfactory.

Mr. Hall (Great Britain).—The learned Delegate, by mistake, said that that was an observation.

of mine. It was not mine. It was an observation made by the learned Delegate from the United States.

Captain Mensing (Germany).—I beg the pardon of the learned Delegate from Great Britain. I think the learned Delegate from the United States has used that expression three or four times. I wish to call the attention of the Conference to the Report of the Committee, on the second page, where it is stated, I think very clearly, that the Committee have no direct evidence of the insufficiency of the present system of lights, yet they, nevertheless, are of the opinion that the Regulations actually in force are insufficient to make the presence of a sailing-vessel known to a fast steamer, approaching her, soon enough to give the latter ample time to keep out of the way.

I have only to say, in this regard, that the side-lights at present shown by sailing-vessels are not satisfactory. We have already discussed the subject here, and there is nothing to be said in this regard any further than that the lights are not strong enough to be seen at a great distance. The proposition of the learned Delegate from the United States does not alter it in any way. He has not stated that he proposes that these lights shall be stronger than they are now; and I think I may take it for granted that they should be only of the same power as they are named here. Therefore, if he finds that there is a difference of opinion in the Committee, I can only state that it was *not* the opinion of the Committee that these lights were inadequate; and if he can construe the language used in the Report in any such way, it is due to the gentleman who drew it up, and who read it carefully enough, but who has thought that perhaps his sentences might not be as clear as he desired.

The learned Delegate from the United States, when he quoted from p. 7, pointed out a defect, so to speak. I think that, if he had read the paragraph before the one read by him, the opinion of the Committee would have been clear. The system which the honourable Delegate from the United States suggests has been, as well as I can understand it, represented on p. 3 by Fig. 12; and, perhaps, if the members of the Conference will look at this Report, they will see that if it should be adopted, there would be no light in the sector between (*b*) and (*c*); and, if we should have no stern-light, there would be a space here of four points in which no light would be visible. There is one thing more to which I desire to ask your attention, and that is to p. 10, in the first two lines, where there is an opinion expressed by the Committee on Lights in regard to this very subject which the learned Delegate from the United States has proposed.

There was a Resolution adopted by this Conference that all lights should be excluded from the consideration of the Committee that were in principle opposed to the Rules as adopted now for the carrying of lights at the present day. We have now the white top-light, the red side-light, the green side-light, and the white stern-light. Those are the four upon which we have based our Report and our opinion. This system which the honourable Delegate from the United States proposes, intends to introduce a white side-light; and in regard to this white side-light the Committee, on p. 10, say—

"On that account proposals that made use of multi-coloured masthead-lights, white side-lights, &c., could not be considered.

I think it would be wrong and unfair to the other systems which fall within the meaning of this sentence in the Report to consider the system proposed by the honourable Delegate from the United States, because we thought that Resolution of the Conference ruled out all systems of this character. It would be unfair that this proposal should be treated in any way better than the others, for amongst them there are probably some of more merit which have been proposed in the same way; for instance, this Coulston system, that is brought here by the members of the Delegation from Denmark. But when the Committee came to talk over the subject, it was the unanimous opinion that these multi-coloured side-lights made it impossible for the Committee to consider them under the Resolution passed by the Conference. I think that, if that Resolution remains in force, the Conference should not take up this subject.

The President.—The question is upon the amendment of the Delegate from the United States.

Señor Varela de Torres (Spain).—Mr. President, in answer to the Delegate who has just spoken about the lights, I may say that the Spanish Government indeed not only proposed that system some years ago, but steps were taken with a view of having what is known as the system of Captain Manzanos adopted, and it was ordered that some of the Spanish men-of-war should use it, so as to obtain definite results as to its usefulness. Two or three years of trial and use were sufficient to demonstrate that the system, although good, especially for steamers, had not such decided advantages as to be worthy of recommendation for universal use.

Mr. Goodrich (United States).—Mr. President, if no other gentleman desires to speak, I want to say a single word upon this subject. I call the attention of the Conference to the Report of Commander Chadwick, of the steam-ship "Yorktown," to which the honourable Delegate from Great Britain has referred, and I suggest that it does not exactly bear out all the conclusions which I understood the honourable Delegate to derive from it. I read on p. 7 the only remark which I remember to have seen in the Report of Commander Chadwick in regard to the system of auxiliary lights, as follows:—

"I am unable to think well of the system of double side-lights in comparison with the range-lights."

Gentlemen of the Conference will remember that I said distinctly that I would be in favour of the range-light system if it were practicable. I think our Delegates would all approve the system of range-lights, but the difficulty of the system is, that it is not possible to apply it to sailing-vessels, so far as my experience, and the experience of those who have communicated with me, is concerned. If a range-light system is good, as this Report of Commander Chadwick says, if it is good as the Report of our own Committee indicates, of course adopt it if you can; but in the absence

of the ability to adopt it, let us get the next best thing. I do not say that the Parry system or the Manzanos system or any other system is a perfect system. I simply say that the range system is a system that you cannot adopt; but you can put an auxiliary light on the quarter on every vessel afloat, and you can put it far enough aft to make an angle on a steam-ship by which the exact direction of a steam-ship can be told.

I am not here, as I said before, to approve of any of these systems of auxiliary lights above the other. There are half-a-dozen of them here. I do not care which one you take. One has a sector where the two forward side-lights alone can be seen over a sector of four points; another has it over six points; and another has it over eight points. I do not care which system you adopt, as I do not know enough about the matter to decide which is the best sector of safety or of danger; but I do know that. to a certain extent, it is a range system; it is a speaking system. It simplifies the question which all of us have appreciated as a difficult one, namely, that instead of being unable when you see the green light to tell the heading or direction anywhere within ten points, you can, by one or the other of these systems, distinguish the direction of that vessel, when you see her green lights, within two or three points, and that is an element of safety the benefit of which cannot be exaggerated.

The learned Delegate from Germany says that it is an objection to this system—I presume he means the Parry system—that there is an angle of one point between two points abaft the beam and three points abaft the beam in which there is no light. Will the honourable Delegate from Germany remember that in the present system there is an arc of twelve points where there is no light? There is no light from two points abaft the beam on either side, except the stern-light, which is a permissive light. I mean there is no fixed light. The matter of that single point of darkness two points abaft the beam is a matter which I have not even considered. But it is a very easy matter to arrange it by fixing the stern-light so that it will be shown over the whole angle which is not covered by the auxiliary side-light. I am bound to state here, although regretfully, that the Delegation from the United States is opposed to this amendment, and when I cast the vote of the Delegation from the United States I shall, very reluctantly, be compelled to vote "no" upon it. I have, however, done my duty in calling the attention of the Conference, and through the Conference the attention of the maritime world, to this system of auxiliary lights, and have done the best I can to press it upon their attention for future consideration and adoption.

Admiral de Spaun (Austria-Hungary).—I should like to state that the amendment to have double side-lights is only proposed for steam-ships. I think it would be very difficult to have it on every steam-ship. A range-light would better indicate the direction and course than the double side-lights.

The President.—The question is upon the amendment of the Delegate from the United States. The Secretary will please read the amendment.

The amendment is as follows:—

"Article 3. A steam-ship when under way shall carry:—

"(*a.*) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles.

"(*b.*) On the starboard side, on the same athwartship vertical plane as the masthead-light, a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles.

"(*c.*) On the port side, on the same athwartship vertical plane as the masthead-light, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of a tleast 2 miles.

"(*d.*) On the starboard and port quarters an additional or auxiliary light, so constructed, fixed, and screened that said additional or auxiliary light on the starboard quarter shall show a green light from two points from right ahead to two points abaft the beam, and also show a white light from right astern to five points on the starboard quarter, and that said additional or auxiliary light on the port quarter shall show a red light from two points from right ahead to two points abaft the beam, and also show a white light from right astern to five points on the port quarter, and that said auxiliary green light and white stern-light shall be so constructed and fixed as to be contained in one and the same lamp, and in one and the same lamp-box on the starboard quarter, and said auxiliary red light and white stern-light shall be so constructed and fixed as to be contained in one and the same lamp, and in one and the same lamp-box, on the port quarter.

"(*e.*) The green and red forward lights shall be fitted with inboard screens, projecting at least 3 feet forward from the lights, so as to prevent them from being seen across the bow.

"(*f.*) The said red and green auxiliary or after lights shall be fitted with inboard screens, projecting at least 3 feet forward from the lights, so as to prevent these lights from being seen within two points of dead ahead.

(*g.*) The said white or quarter lights shall also be fitted with inboard screens, projecting at least 2 feet abaft these lights, so as to prevent these lights from being seen across the stern."

Captain Mensing (Germany). As provided in Articles (*b*) and (*c*) of said amendment, it is proposed to carry the light abreast the foremast side. I would simply like to state on this proposition that the Committee on Lights have come to a somewhat similar conclusion.

Mr. Hall (Great Britain).—Will the honourable Delegate pardon me, but that is a matter which has already been disposed of by the vote of the Conference on a previous proposal. We came to a vote upon the principle involved in both (*b*) and (*c*) several days ago, negativing that idea.

Mr. Goodrich (United States).—I have no objection to that being excluded on the vote; I do not think it is important here.

The President.—The question is upon extra amendment No. 28, proposed by the Delegate from the United States.

The question upon the amendment was put to the Conference and lost.

Mr. Hall (Great Britain).—I think it is desirable that that vote should be recorded unless it were unanimous. I thought that perhaps some person voted "aye."

The President.—If the Delegate desires to reconsider the vote as decided, and calls for the ayes and noes, it will be in order. The Chair heard no affirmative vote. If any one voted in the affirmative, and will so state to the Chair, an aye-and-nay vote will be taken.

There seemed to be no one who voted in the affirmative; therefore it was unanimously rejected.

The President.—The next order of business will be extra amendment No. 32.

The amendment is as follows:—

"(*e*) Steamers in the North Atlantic trade may carry on one of the after-masts a white light, visible all around the horizon, but said light must be at a height of not less than 20 feet above the forward mast-head light."

The President.—There is an extra amendment of the Delegate from China which accompanies this amendment, and they might both be discussed at the same time. That is extra amendment No. 34. The question will first be upon the amendment of the Delegate from China, extra amendment No. 34, which is an amendment to the amendment of the Delegate from the United States. The question is first upon the amendment of the Delegate from China. The Secretary will please read it.

Extra amendment No. 34 is as follows:—

"All steamers, when under way at night, may carry on one of the after-masts a white light, visible all around the horizon; said light must be at a height of not less than 20 feet above the forward bright light."

Captain Bisbee (China).—Mr. President, I desire to say in support of that amendment, that if these lights are good on steamers for the North Atlantic trade, they must be equally good for all steamers all over the world.

Captain Shackford (United States).—Mr. President, I do not want to say anything on this in addition to what I said the other day.

The President.—The question now is upon the amendment of the Delegate from China.

Captain Norcross (United States).—Mr. President, my colleague, Captain Shackford, was appointed to represent steam-vessels, and is well equipped for his work. Still, as steamers' lights have a certain bearing on the lights to be carried by sailing-vessels, I may perhaps be permitted to offer some remarks in regard to them. I do not care what system of lights is adopted, as long as it will fulfil the great object of preventing collisions. I favour particularly the range-lights, because they open the only way by which a sailing-vessel may make her presence known at a greater distance, and give to the steamer, which is held to a great responsibility, time for a second bearing in order that she may know whether her course, if pursued, will lead to collision; and also give to two steamers the approximate knowledge of each other's course, whether converging or diverging, and a certain knowledge whenever the course is changed. The objections to range-lights have been so fully discussed and plainly laid down that I do not think it necessary to repeat them.

I respectfully call the attention of this Conference to the fact that it is not in the province of man's intellect to establish a system that will be perfect under all circumstances, or fully meet the changeful moods of Neptune's domain. Still, these objections must be carefully weighed, and the advantages and disadvantages of any one system closely compared with those of any other system. When we look at the system of range-lights in use on the inland waters of the United States, we must not forget one important fact: That the vessels carrying these range-lights carry no sails, and if such a system were adopted on sea-going steamers, the after range-light must be placed so high as to dominate largely any sails set on the foremast. I believe the time is very near when a yard will no longer be slung on a steamer's mast, and only a few low fore-and-aft sails be carried to steady her in an uneasy sea. When this time comes, then, without any doubt, the range-light will be carried in the same manner as on the inland vessels.

To me it seems a matter of perfect indifference whether the range-light is near the bow and the masthead-light is on the foremast, or whether the range-light is on the foremast and the masthead-light on the mainmast, provided these lights are so placed as to be free from obstruction in the required sector of twenty points. I think it a matter that might be safely left to the choice of the owners or masters of steam-vessels to suit their build, rig, or trade engaged in. If one owner or Company chose to make use of the system as laid down by Lieutenant Fletcher, he or they would provide some means for caring for those lights, as in the case of the side-lights, where close iron towers are built, accessible from within. And so in case where the light cannot be approached on top of the turtle-back, they would provide, as in the side-lights, an approach from beneath. Where there is a will there is a way, and no prudent owner would neglect any precautions required by the law for the better protection of life and property at sea. He has two monitors to which he is amenable, and his underwriter, who would not fail to nudge his elbow with the increased premium for the increased risk. 'Tis said that Galileo, when doing penance for daring to promulgate a great truth, as he arose from his knees, murmured, "It moves, it moves." The world moved then—it moves now; and if this

system of range-lights develops one-half the benefit claimed for it, man's ingenuity will soon conquer all of the physical difficulties.

The President.—The question is upon extra amendment 34, which is an amendment to the amendment proposed by the Delegate from the United States. extra amendment 32.

Captain Mensing (Germany).—Mr. President, I would like to call the attention of the Conference to the fact that if this proposal were adopted by the Conference it would require the light at the after-mast to be so placed as to be visible from right ahead, which, I think, would be rather difficult. I do not know whether it would be advisable to adopt the white light, visible all around the horizon, or whether this light should be screened to only twelve points. I fully sympathize with the principle of range-lights, and to make it optional, I think, would be quite a good thing. The Committee on Lights, on p. 8, say: "Range-lights, if properly placed and fitted, indicate, under certain circumstances, a ship's course in a more accurate way than at present." That is of some advantage; and therefore, it is the opinion of the Committee that the optional introduction of some such system may be proposed for the favourable consideration of the Conference, adding, however, that no definite system shall be decided upon for adoption before this subject has been more fully studied, and before a larger number of experiments, under different circumstances, have been carried out.

As Captain Norcross, one of the members of the Committee on Lights, has so ably pointed out, there is great difficulty in introducing such a system of lights on ocean-going steam-ships, and there will always be the same difficulty. Now, so far as I know, only a few experiments have been made, and they have been made under circumstances which were especially favourable, with a calm sea, when the lights could be carried forward. I believe it would be well to postpone action on this matter until these experiments are carried out more fully than they are at present. The methods proposed may appear to be very good in the beginning, but little things may be found which would, perhaps, be in the way of the final adoption and introduction of this system, and which would not be there if the system were fully studied before it was recommended.

The President.—The question is upon the adoption of the amendment of the Delegate from China.

Mr. Hall (Great Britain).—Mr. President, I can assure the honourable Delegate from the United States that we sympathize heartily with his desire that this system should be experimented with, so that we may be able to ascertain whether or not it is a system worthy of adoption, subsequently, as an international Rule; and therefore we should be very glad to render any assistance in our power towards enabling experiments to be made. I think it would be desirable to follow the opinion of the Committee, as expressed in their Report, and suggest, either by sending a copy of the Report of the Committee to each Government, or by putting it as a note to be attached to the Rules, to bring it to the consideration of the various Powers, and to inform them that, in the opinion of the Committee and of this Conference, it is desirable that experiments should be made.

I do not think it would be desirable that we should make a system, of which we are not absolutely certain at present, an international Rule; but, as the Committee has pointed out, it would be desirable to have a large number of experiments made for the purpose of ascertaining whether this is desirable or not. We must, for instance, first know what these lights will do in a heavy sea. There are various questions which will occur to the mind of any sailor at once, and therefore it is, no doubt, that the Committee have said that they do not think any system should be decided upon for adoption before a large number of experiments, under different circumstances, can be carried out. If he would alter his amendment into a note to be attached to these Rules, containing a recommendation to the various Powers whose Delegates are members of this Conference, and informing the Powers that this Conference thinks it desirable that experiments should be made with regard to this proposition, we will give it our hearty support in that respect, for we do think it desirable that these experiments should be made.

The President.—The question before the Conference is upon the amendment of the Delegate from China to the amendment of the Delegate from the United States.

Captain Sampson (United States).—Mr. President, before you put that to a vote, I would like to say one word as to the principle involved in this amendment generally. The use of range-lights is not entirely new. They have been used in the inland waters of the United States with the greatest possible benefit. It is the universal opinion of those who have used them that they are much more reliable and give much more information than the ordinary running lights. In view of that fact, and in continuation of the plan suggested by the Delegate from Great Britain, I would suggest that the best method of making experiments upon this subject is to make this system of range-lights permissive. There are a great many seamen in favour of something of this sort, and if this Conference makes this system of range-lights permissive, it will be experimented on in a much more thorough manner and it will be developed much more quickly than by any experiments which we might recommend to the respective Governments. If it were developed in that way I am sure it would be more satisfactory than in any other.

Mr. Verney (Siam).—Mr. President, may I point out that it is difficult to see how these experiments can be carried out unless this Rule is made permissory, because how are you going to send ships to sea to try experiments in heavy weather without breaking the Rules which this Conference are going to lay down? I do not quite see. Perhaps I am wrong; but it does not seem to me to be a very easy thing to carry on such experiments, when the experiments require that lights should be carried different from those provided for in the Rules. If you say that no other lights shall be carried except certain lights, how will you be able to make experiments on a large scale?

The Conference thereupon took a recess until 2 o'clock.

After Recess.

Mr. Hall (Great Britain).—Mr. President, during the recess I have had an opportunity of consulting with my colleagues as to the proposal of the Delegate from the United States and the

proposal of the Delegate from China, and we have come to the conclusion, especially having regard to the strong argument in favour of it which has been presented by the gallant Delegate from the United States, in pointing out that this has already been very successfully used on the inland waters, and in view of the fact that we cannot have better experiments than those which have been carried on in practical use, we are of the opinion that it would be advisable to adopt this proposal. It will be, of course, in the nature of an experiment; but if this turns out to be an efficacious system and it really renders assistance to vessels at sea, we shall derive a great benefit from it. For this reason we propose to support the proposal of the Delegate from the United States and the Delegate from China.

Mr. Garde (Denmark).—In Denmark we have used the same system for several years—and it has given great satisfaction—of having two white lights at the head of the mast. All the captains whom I have seen and consulted on this subject are in favour of it, and therefore I would like, as this proposition has been limited to the North Atlantic trade, to have it extended to all steamers. I do not see why this additional light, which is a permissive light, should be limited to the Atlantic trade.

The President.—The proposal now is to permit all steamers to carry that light, under the amendment which has been presented by the Delegate from China, which is now being discussed.

Captain Mensing (Germany).—Mr. President, I have had occasion to mention this morning that I was heartily in favour of such a proposition, but I would like to bring to the consideration of the Conference—first of all, that this system could not be used by a ship having but one mast. Then I would like to point out that the light on the second mast is further back on the ship, and is not visible when the observer is right ahead of it, which is the place of danger, certainly. The light is presumably to be carried somewhere about the rigging, and it would be obscured by the foremast, by every sail that was set. Therefore, I would like to ask the Delegate from the United States whether he could not frame his proposition so that this light should be carried forward of the foremast, where, I think, it would best be seen. I believe this light will be used by the largest vessels under peculiar circumstances; for instance, as in the case which has been commented upon by the Delegate from Denmark. In such a case there might be a great deal gained by it, which could not be otherwise obtained. Take it as it stands here, according to its wording, the light must be carried on one of the after masts. If you adopt that I think there will be great difficulty in placing it so that it can be seen all the time; and I think it ought to be made optional, so that if desired, it might be carried forward of the foremast light.

Captain Bisbee (China).—Mr. President, I beg leave to add one word to what has already been said in favour of making the use of the proposed range-lights permissive. Most of the great seaports of the world are so situated that for a very considerable distance in their near approaches a vessel has shelter from heavy seas, and will consequently have little or no rolling motion. The increased speed of steamers of all classes has also, to a great extent, done away with the use of sails by steamers thus nearing ports, and the most crowded navigation will therefore be met with under circumstances most favourable to the use of range-lights—that is, where a vessel can go along upright, and the misleading appearance of these lights, that is caused by a vessel heeling over, has not to be considered.

Captain Shackford (United States).—I do not think it is necessary for me to say anything more than I have said about this light. We only ask permission to carry this light on the steamers which can carry it, on steamers which can carry the light to be seen all around the horizon. I think that the sailors in this country, at least, think that this is a good thing, and if they are permitted to carry it, I hope that in a very short time others will see the use of it. If ships are not rigged to carry range-lights, as we propose, when they see that it is a very great advantage, in a short time they will rig their ships or invent some plan whereby they can carry the lights. I proposed it at first only for ships in the North Atlantic trade, because those ships can carry the lights on the after-mast, which would show over the square sails. I don't think there is any difficulty at all as to that, in the case of the ships in the Atlantic trade.

The President.—Is the Conference ready for the question on the amendment of the Delegate from China to the amendment of the Delegate from the United States?

The question on the amendment of the Delegate from China to the amendment of the Delegate from the United States being put to the Conference, was carried.

The President.—The next question is upon the adoption of the amendment of the Delegate from the United States, extra amendment No. 32, as amended.

The question on the extra amendment No. 32 as amended by the amendment of the Delegate from China was put to the Conference, and was carried.

The President.—The Delegate from the Netherlands desires to present an amendment to the forty-first amendment, Article 12. Does the Delegate desire his amendment read?

Captain Van Steyn (the Netherlands).—Yes, Sir.

The amendment is as follows:

"A steam-vessel shall be provided with a whistle or siren, sounded by steam or other efficient substitute for steam, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn, to be sounded by bellows or other mechanical means, and also with an efficient bell. (In all cases where the Regulations require a bell, a drum will be substituted on board Turkish vessels.) A sailing-ship shall be provided with a similar fog-horn and bell."

The President.—The first part of this amendment, with regard to the words "compressed air," was lost, and this is proposed as a substitute.

Mr. Hall (Great Britain).—Mr. President, may I ask which part of amendment No. 41 it is proposed to put before the Conference?

The President.—This amendment is in lieu of the first part of amendment No. 41, in which the words "compressed air" were rejected upon a vote.

Mr. Flood (Norway).—Mr. President, may I ask permission, before we go to Article 12, to ask one question about Article 3? I did not understand that we were through with it; I want to suggest if it would not be advisable to have a uniform place, as near as possible, fixed for the side-lights on sailing-vessels and steamers.

The President.—That question has already been decided by the Conference.

Mr. Flood (Norway).—I beg your pardon, Mr. President; if that is the case it has escaped my observation.

Mr. Hall (Great Britain).—Mr. President, I would submit that if the Delegate from Norway wishes to propose any amendment with regard to the position of the side-lights, it would be necessary to give notice of it, so that we should be able to consider it. I think if he will consult with his friends he will find that the Conference came to a very definite conclusion on the question of the position of the side-lights, and it was voted by the Conference that it was impossible to lay down any Rule for the position of the side-lights, because it was a matter which must depend upon the construction of the vessel. Of course, if he thinks it necessary to make such an amendment, we certainly ought to have notice of it. As far as I can remember, the Conference decided very emphatically upon the point that it was impossible to lay down a Rule as to the position in which the side-lights should be placed.

Mr. Flood (Norway).—Mr. President, I am not prepared to offer any amendment, but I will state my idea again that I think it is desirable that it should be stated that these lights should be placed forward or aft.

The President.—The Chair decides that the remarks are not in order. If the Delegate desires to offer an amendment to be printed, he can do so; but he cannot make any remarks upon that subject at the present time.

The amendment to Article 12, proposed by the Delegate from the Netherlands as an amendment to amendment No. 41, will be read.

The amendment is as follows:—

"A steam-ship shall be provided with a whistle or siren sounded by steam, or other efficient substitute for steam," &c.

Captain Van Steyn (the Netherlands).—Mr. President, I want to propose this new wording of the Article in order to meet the vote which has already been taken by the Conference. This amendment was discussed the other day and was lost, but I have come back to it again because Article 1 declares that "steam-ships shall include all vessels propelled by machinery." If we do not provide for using any other means than steam, every vessel moved by electricity, compressed air, hydraulic power, or any other means of that kind will be compelled to have, besides her moving power, a boiler to sound the steam-whistle; and, as I understand it, this cannot be, and is not the opinion of the Conference.

As I have pointed out, when proposing this change in my original Article, the use of any other means than steam ought not to be against the law, and, at the same time, it should enable every sailor to put the whistle in any other part of the vessel where its place would be more in accordance with the prescription of the Article, that is to say, where it is not to be intercepted by any obstruction. The place where these steam-whistles are now placed is generally in the neighbourhood of the funnel, to prevent, as much as possible, the condensation of the steam in the long pipe, which condensation renders the whistle sometimes unfit for immediate use. I have been told that the gong is used on board of Chinese vessels, and if these instruments are really better than the bell we ought to give some liberty to use the better instrument.

Mr. Hall (Great Britain).—Mr. President, the learned Delegate from the Netherlands has communicated to me the wording of this proposed amendment, and has shown us how he proposes to bring it forward. It will be remembered that on the consideration of the forty-first amendment he had some words inserted which were evidently intended to carry out what is proposed now by this amendment; but by the way in which it was worded it went so far as to include any sound-signal sounded by compressed air. I pointed out that this was undesirable, because if these words were inserted a steamer would be complying with the Rules if she only had an ordinary fog-horn worked by a bellows, and accordingly it was necessary to redraft the proposal so as to still compel the steamer to carry a whistle, or something like a whistle, which could not be confounded with the fog-horn.

Now, it appears to us that these words will comply with that requirement. If I may read the amendment again I will show what I mean: "A steam-vessel shall be provided with a whistle or siren." Up to the present time it might be considered doubtful as to whether or not a siren complied with the Rule as it stands at present, "with a whistle or siren sounded by steam," and then, to meet the case of electric and other vessels which are not propelled by steam, it says, "or other efficient substitute for steam." I do not think there can be any mistake as to the meaning of those words. It would merely provide this, that a vessel in the nature of a steamer propelled by electricity, compressed air, naphtha, or any other motive power, would be complying with the Rule of carrying a steam-whistle, if they did not actually carry steam, but took care to provide a whistle or a siren sounded by some other substitute for steam. That would meet the case of vessels which are not propelled by steam, and yet are not sailing-vessels. I think these words meet the difficulty, and practically meet the suggestions which have been made.

Mr. Verney (Siam).—Mr. President, may I ask whether the short blast can be sounded on a siren, because, if it cannot be, it may be leading us into trouble as regards Article 19, which is coming?

Captain Mensing (Germany).—The blast can be sounded for any length of time desired. There are large sirens whose blast is only one second.

Admiral Bowden-Smith (Great Britain).—I may mention that the British men-of-war always use the siren.

The President.—The question is upon the amendment of the Delegate from the Netherlands.

Mr. Goodrich (United States).—Mr. President, I rise for information. I want to ask whether these words, suggested by the Delegate from the Netherlands, are to be simply inserted, and leave in the words which follow, "or other efficient steam sound-signal."

The President.—The Secretary will read it for the information of the Conference.

The amendment is as follows:—

"A steam-ship shall be provided with a whistle or siren sounded by steam or other efficient substitute for steam, so placed that the sounds may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by a bellows or other mechanical means, and also with an efficient bell. (In all cases where the Regulations require a bell to be used, a drum will be substituted on board Turkish vessels.) A sailing-ship shall be provided with a similar fog-horn and bell."

The President.—Is the Conference ready for the question?

The proposed amendment by the Delegate from the Netherlands to amendment No. 41 was put to the Conference, and carried.

Mr. Hall (Great Britain),—Mr. President, it has been suggested by some of the Delegates that it would be desirable to insert after the word "bell" the words "or gong." I am told that in some countries that they use the gong instead of the bell, and unless any Delegate shall be able to point out a difficulty which could arise from the use of such instrument, we would be perfectly willing to have those words inserted wherever the word "bell" occurs, and to add the words "or gong." I am told that in the Chinese waters they use the gong instead of the bell; if so, I should move to add the words "or gong" after the word "bell" at the commencement of Article 12; and at the end of subsection (*c*) to add the words "or sound the gong," so as to make it read, "ring the bell or sound the gong."

Captain Malmberg (Sweden).—Mr. President, I want to know if there is not an objection to allowing the general use of the gong, because, if I am not mistaken, there are several light-ships which sound the gong, and which are not provided with steam-whistles.

The President.—Does the Delegate from the Netherlands accept the suggestion of the Delegate from Great Britain?

Captain Van Steyn (the Netherlands).—I accept the suggestion.

The President.—If there be no objection, the words will be inserted as stated by the learned Delegate from Great Britain.

Captain Mensing (Germany).—I think there would be no difficulty in introducing gongs of that kind, because the sound of large gongs, such as are used by the light-ships, is very different from the sound of the small ones used on tugs and other boats. I think gongs are quite as efficient as the big bells used.

The President.—If there be no objection, the words "or sound the gong," or the single word "gong," will be inserted at the proper place, in accordance with the suggestion of the Delegate from Great Britain, as adopted by the Delegate from the Netherlands.

Mr. Hall (Great Britain).—Mr. President, I would also point out that to carry out the amendment just adopted by the Conference with regard to a whistle or siren, it will be necessary to leave out of subsection (*a*) the word "steam," in the second and third lines. It will read "a steam-ship under way shall make with her whistle or other sound-signal," &c. That is a consequential amendment.

The President.—If there is no objection, that will be done.

The next amendment in order will be extra amendment No. 10. That, the Chair understands, has been referred to the Sound-Signal Committee.

Captain Shackford (United States).—Mr. President, I would just like to say one word. When we were discussing this amendment, which is merely a change from two minutes to one minute in the sounding of signals, the gallant gentleman from Great Britain——

The President.—The Chair will say that this amendment is not now before the Conference. It has been referred to the Fog-Signal Committee for report, and it will then come up for consideration.

Captain Shackford (United States).—Mr. President, I do not want to speak on the amendment, but about the discussion which we had of it last Friday, with regard to the interval of the blast. During that discussion the gallant gentleman said that he awoke in the night and got up and took his watch and found that the blast lasted for four seconds. That was on the good steam-ship "Teutonic." Although I have made about forty passages across the Atlantic in ships of that same line, I did not want to contradict him until I had, perhaps, a little more information, or until I was informed with regard to the statement that I made that it was customary for steamers in the Atlantic to sound a whistle every minute.

On Saturday I was in New York, and went on board the "Teutonic" and saw the captain, Captain Parsell, and this is his statement: "The 'Teutonic' uses a blast and blows a whistle, according to the density of the fog. In thick fog it blows twice a minute a blast of at least six seconds." I went on board of another steam-ship, the "City of New York," and saw Captain Lewis, the captain of that steamer, and his statement is that it blows every minute, say with an interval of fifty-five seconds, and five seconds to the blast. He counts the second hand on his watch. Captain Griffith—I was going down town in the car and met him—stated that he blows his whistle every minute a blast of ten seconds. Captain Richter, captain of the "Saale," of the North German Lloyd Line, states that he blows the whistle every minute and sometimes oftener. I merely make this statement because I stated that I thought that the ships blew every minute and I wanted to have it affirmed.

Mr. Hall (Great Britain).—Mr. President, I will point out that this is a matter which has been concluded by a vote of the Conference, and the question as to whether a steamer should blow her blast oftener than once in two minutes was negatived very distinctly by the Conference.

Captain Shackford (United States).—Undoubtedly; but I only wanted the privilege of making this statement.

The President.—The next amendment is extra amendment No. 31.

Mr. Hall (Great Britain).—There are two amendments to Article 8, extra amendments No. 30 and 31. Extra amendment No. 30 deals with Article 5 (*a*), and amendment 31 deals with the light to be carried by a vessel ashore. I think it will be better if we should go right on with them, and then we have disposed of all the amendments with regard to lights.

The President.—If there should be no objection it will be so ordered. The Secretary will please read extra amendment No. 30.

Extra amendment No. 30 is as follows:—

"Article 5, subsection (*b*). A vessel aground, in or near a fair-way channel, shall at night exhibit where they can best be seen three such red lights as are above described, in a vertical line, one over the other, not less than 6 feet apart, and by day she shall exhibit the International Code signal J. T."

Captain Bisbee (China).—Mr. President, I have nothing to add in support of this proposed amendment to what will be found in the pages of the Protocol for the 7th November, except that it was a principle which I wish to advocate, that a vessel aground should have some distinctive light. I do not feel bound to her exhibiting three red lights, if anybody should propose anything better. I only think that a vessel aground should have a distinctive light.

Captain Salvesen (Norway).—Mr. President, my amendment, extra amendment No. 31, is for the same purpose. The only difference is that I have put it under Article 8 instead of under Article 5.

I also find that after the present Article 8, which is the first Article in the Rules which refers to vessels not under way (the two preliminary Articles excepted), is the right place where Rules for a vessel aground ought to be.

I don't think many sailors, by reading the former Articles 3, 4, 5, 6, and 7, will get into their heads that any of them refer to vessels not under way. I know that as the present Rules do not say what signal a vessel aground in a fair-way has to show, the lawyers have found that as such a signal still must be made, it shall be made according to the now existing Rule 5 (*a*). In Marsden's "Law of Collisions at Sea" it is said: "Perhaps Article 5 would apply to a ship ashore in a fair-way."

But, as we now are sitting here to provide for this case, I find it more logical to have the case provided for, not under Article 5, but after the present Article 8.

A proposal to the same purpose has already been before the Conference, but several of my brother Delegates and I voted against it; not because we did not think it advisable to have a separate signal for vessels aground in a fair-way, but because the proposal was added to Article 5 in such a manner that a vessel aground got quite the same signal as vessels afloat drifting about, not under command.

This, I think, could in several cases lead to serious mistakes or danger, and I, therefore, have ventured to submit this amendment to the consideration of the Conference, as regards principle, leaving the wording to be afterwards settled, as I believe my text might be improved, perhaps. This addition to the Article was worded as follows:—

"Article 8 (*b*). A vessel aground in or near a fair-way shall carry, where they can best be seen, two red lights in globular lanterns, one over the other, not less than 6 feet apart, in addition to the above-mentioned anchor-light or lights."

Mr. Verney (Siam).—Mr. President, perhaps I may be allowed to say that, as the representative of Siam, I should warmly wish to support the proposition made by the Delegate from China. The capital of Siam is on a somewhat tortuous river, where a number of collisions and accidents have occurred, some of which, I think, might have been avoided if it were possible to adopt some system by which vessels ashore could exhibit distinctive lights. As to what those lights should be, I would wish to leave it entirely to those who are experts in the matter.

Mr. Hall (Great Britain).—Mr. President, I would point out that the observations of the learned Delegate from Siam would indicate that amendment No. 31 is, if anything, preferable to amendment No. 30, for this reason: He says that it is desirable in Siam that there should be a light distinctly showing whether a vessel is ashore. In extra amendment No. 30, proposed by the gallant Delegate from China, it is only proposed to give such vessels a similar light to all vessels not under command; and, therefore, his argument is much more in favour of the proposition of the gallant Delegate from Norway, because that is a distinctive light, and, when a vessel is aground, she would hoist her anchor-light as well as her two red lights. We have considered this matter among ourselves, and, so far as we can see, we think it would obviate the several difficulties pointed out a few days ago when a similar amendment was proposed by the learned Delegate from Germany.

It was objected in answer to his proposition, that if a vessel merely hoisted her "not under command" signal, that she might be drifting or dragging with the tide, and might be taken for a vessel in motion. The amendment of the gallant Captain from Norway meets that very difficulty, and, if his signal be adopted, no one can have any doubt what a vessel is, if he sees both the anchor-light and the two red lights. He will say at once that she is ashore in or near a fair-way. Having regard to that, although we quite agree with the principle of the Delegate from China, which really is the same principle as that of the Delegate from Norway, we think that on the whole the proposal of the Delegate from Norway is one that we wish to recommend, because it has the distinctive feature which cannot possibly be mistaken for any other light. Therefore we shall support the proposal of the gallant Delegate from Norway.

I will only say to the Delegate from China that as regards the proposal in his amendment that a vessel shall by day exhibit the International Code signals—there is nothing whatever to prevent her

from doing that now if she wishes, and if approaching mariners cannot see that a vessel is aground by daylight, the vessel should hoist the Code signals showing that she was aground if there was any danger to be apprehended. But, so far as I can see, this is not necessary. At night make the warning compulsory, but in the daytime let the vessel hoist her flags if she chooses and if there is any danger whatever. She can do that now. I beg to submit that amendment No. 31 will carry into effect the principle, and so far as we are concerned we will support it.

Mr. Verney (Siam).—Mr. President, I beg to say that I thoroughly agree with the learned Delegate from Great Britain. At the time I spoke I did not have before me the two amendments of the Delegate from China and the gallant Delegate from Norway.

Captain Bisbee (China).—I beg to say that I proposed this amendment under the impression that one of the red lights for vessels not under command had been taken away from them. I withdraw this amendment in favour of the amendment proposed by Captain Salvesen, and think that his arrangement will be much better. As regards its being possible in the daytime for a vessel to tell when another vessel is aground, that is sometimes a very difficult matter. At the same time it is very important that she should know it and have time to take warning of it, both by day and by night, particularly in narrow rivers. I certainly think that it should be compulsory on vessels which are aground, to show a warning signal in the daytime, as well as at night.

The President.—Does the Delegate from China accept the amendment of the Delegate from Norway?

Captain Bisbee (China).—I do, Sir.

The President.—The question, then, is upon amendment No. 31, proposed by the Delegate from Norway.

The question upon amendment No. 31 was put to the Conference, and carried.

The President.—The next order of business is extra amendment No. 21, Article 12. That is a matter referring to the lights of small vessels, and if the Conference desires that it should go over until the Report of the Committee on Lights for Small Vessels is received, a motion to that effect will be entertained.

Mr. Verbrugghe (Belgium).—Mr. President, I would propose so. Our Report is just in hand now, and we will be able, very likely, to deposit it to-night. At the same time I will also state that, as I was requested to do, I made the proposal to the Committee on Lights for Small Craft with regard to sound-signals. We have not examined the question as to whether small craft should be provided with sound-signals. We thought it proper that the matter should be left to the Committee on Sound-Signals, to decide whether small craft should be free from the obligation of carrying such instruments, and also, in case the negative of that proposition should be resolved upon, to decide what kind of signals they should produce.

Mr. Hall (Great Britain).—I would beg to move that the consideration of the Report of the Committee on Small, Pilot, and Fishing-Vessels be postponed not only until after the Report be presented, but until the further Report with regard to sound-signals is received, because I understand now that they have kindly undertaken to consider the question of sound-signals for small vessels. If so, it will be necessary for us to have both the Reports before we can properly deal with the lights and the precautions to be taken by small, pilot, and fishing-vessels.

The President.—After the Report of the Committee on Small Vessels is made, the motion will be entertained.

The next order of business will be extra amendment No. 35.

The amendment is as follows:—

"Steamers in the North Atlantic service, running between Europe and America, may use some distinctive whistle-signal, that cannot be mistaken for any other, to indicate whether they are going east or west."

Captain Shackford (United States).—Mr. President, I ask to have that amendment laid over until the additional Report of the Committee on Sound-Signals.

Admiral Nares (Great Britain).—Mr. President, as Chairman of the Sound-Signals Committee, I would observe that we have already reported on the point raised.

The President.—Those who are in favour of the motion of the Delegate from the United States to lay this subject over until the Report of the Committee on Sound-Signals is made——

Mr. Hall (Great Britain).—Mr. President, before a vote upon this proposal is taken, I would venture to call the attention of the Delegates to the fact that this matter has been dealt with by the Committee on Sound-Signals, and there has been no proposal to ask them to reconsider their Report on that point. The only matter that we have now referred to the Committee on Sound-Signals is as to finding a special signal with regard to some matters upon which we have agreed in principle that a signal should be given. We have certainly not agreed in principle that there should be any course-indicating signals at all. The Committee on Sound-Signals have treated that matter very carefully, and have prepared a most exhaustive and careful Report on the subject. I certainly think that we ought not to send the matter back to the Committee unless we are dissatisfied with the Report. They have studied the matter most thoroughly. The result of this proposition would be that we are practically asking the Committee to reconsider their Report before we have ever discussed, or before one line has ever been before this Conference with regard to this matter. If that be so, I venture to suggest, upon such a proposal as this, that we ought not to ask the Committee on Sound-Signals to reconsider their Report without some ground being given for doing so.

I think that those members of the Sound-Signal Committee who are here will be able to tell us whether or not they have considered this matter carefully. If so, I cannot see the object of deferring this question until after the further Report of the Sound-Signal Committee, which will not deal with the question at all. The only questions they have to deal with now are quite different questions—the

question as to finding particular signals for a vessel towing or being towed. We have not referred to them any question of course-indicating signals, because they have dealt with that matter very carefully. Therefore, I hope that the Delegates from the United States will not move to suspend the consideration of this Article, because, if it is done, it is really done without any reason whatever.

Admiral Nares (Great Britain).—Mr. President, I have not consulted the rest of the members of the Sound-Signal Committee, but I am pretty sure that there will be a majority, even if there be only one vote against it, on the Committee. However strongly we have worded our Report against the introduction of any course-direction signals generally, I am sure that we would at once point out to the Conference that, if we are decided that course-indicating signals should not be introduced generally, we should be the more distinct in saying that a few steamers running across the Atlantic should not be permitted to have special signals for themselves.

Captain Shackford (United States).—Mr. President, I would like to have it referred to the Committee for decision. I would like to say, Mr. President, that in the Committee I tried to get a suggestion of this kind adopted in the Report, and I was voted down. I wanted to bring it up again, and perhaps I did not take the proper course. If I did not, of course I apologize to the Chairman of the Sound-Signal Committee. I thought it possible that we might have one or two sound-signals for vessels in the Atlantic trade, and I desired that they might be permitted to use some distinctive whistle-signal, that could not be mistaken for any other, to indicate whether they were going east or west. As I said before, I tried very hard to get this matter up before the Committee, and I offered this extra amendment No. 35 in hopes that the Conference would discuss this matter. If it was not in order, and I have done anything discourteous, I am very sorry indeed; but I would like to have a vote of the Conference upon the subject, whether steamers may be permitted to use a distinctive whistle-signal, which will not interfere with other signals, to indicate whether they are going east or west.

The President.—The question is upon the motion to refer it to the Sound-Signal Committee.

Captain Shackford (United States).—Mr. President, I understood that it could not be referred to the Sound-Signal Committee.

Mr. Goodrich (United States).—Mr. President, I do not see, if my friend will allow me to say so, what objection there is to referring this matter back to the Committee. Captain Shackford states the circumstances under which the Report was made, and is of opinion that the Committee have not obtained his views upon this question. That Committee is still in session, and Captain Shackford is a member it. I certainly see no objection to this matter going back to the Committee, especially as Captain Shackford intimates very plainly that the presentation of this Resolution or amendment is without discourtesy to any member of that Committee This seems to me to be a very proper disposition of the subject. Possibly we may never hear from it again.

Mr. Hall (Great Britain).—Mr. President, it appears to me that we should certainly be taking a very extraordinary course if we were to propose to refer to the Committee a question upon which the Committee has reported, and upon which, so far as I know at present, there is no doubt whatever in the minds of the whole of that Committee. I dare say that other members of the Sound-Signal Committee may be able to assist us; but unless we are instructed and satisfied that the Committee has made a Report in error, I really think that it would be improper to send it back to the Committee, even if we had the power to do it, without carrying a Resolution to refer the matter to the Committee. That Committee have made their Report, and we should need a fresh Resolution to ask the Committee to reconsider their Report in order to carry this matter back to them. I think certainly that it would not be proper to do that, unless the Conference is dissatisfied with the Report. We have passed a distinct Resolution giving them the power to deal with distinctive signals for small vessels. I do not see how we can refer back to them a question which they have decided upon, and which, so far as we have heard at present, no one has expressed an opinion about.

No one has pointed out that their opinion is wrong. As yet I have heard nothing to suggest any reason why they should reconsider their opinion. Their opinion speaks for itself, and it is strong as it can be with regard to the question of course-indicating signals. They have not dealt with any particular signals, but have pointed out the danger of having such signals. This question involves merely course-indicating signals to enable vessels to go east and west in the North Atlantic service. I hope that we shall certainly not propose to refer this to the Committee without some better ground for it than we have heard at present.

Admiral Nares (Great Britain).—Mr. President, I am very sorry, Sir, that this has become rather a personal question. The Committee on Sound-Signals were unanimous on this point, including the member from the United States. The only point on which we were not unanimous was whether the sound-signals, which are only allowed by law to be used when another vessel is in sight, should be allowed to be used in a fog when vessels were not in sight. On that point we were not unanimous. There was one in the minority, but on all other points we were unanimous.

Captain Shackford (United States).—Mr. President, as it does not seem to be in order to refer this to the Committee, I would like to have a vote of the Conference upon extra amendment No. 35, on the principle as to whether it is possible to have steamers in the North Atlantic service, running east and west between Europe and America, use some distinctive whistle-signals which cannot be mistaken for any others, to indicate whether they are going east or west.

Mr. Goodrich (United States).—Mr. President, let me point out to the Conference that taking a vote upon the principle of this amendment proposed by my colleague would not be adopting his amendment. It would be very easy to pass, upon the principle of the permission given in the amendment with regard to the subject of a distinctive sound-signal, and this principle, I think, might then be referred to the Committee on Sound-Signals, which already has this and cognate matters in charge. The Delegates will observe that this is simply a permissive use of the signal indicating generally that the vessels are moving in the easterly or westerly direction. I do not understand that that subject was before the Committee on Sound-Signals. It may have been before that Committee; although I am not aware of it.

Admiral Nares (Great Britain).—If you will look at the Appendix, I think it is B, you will see that we have disposed of it.

Mr. Goodrich (United States).—Will the Chairman of that Committee tell me what page that is on?

Admiral Nares (Great Britain).—You will see it on p. 9 of Appendix B, a memorandum by Sir George Nares, where he goes very fully into the discussion of the subject of course-direction signals.

Mr. Goodrich (United States).—Will the gallant Delegate from Great Britain kindly say whether this is a discussion of general course-signals or whether it is specifically addressed in any part of it to the simple permission to a vessel steering east to indicate that fact, and a vessel steering west to indicate that fact? Is it simply a discussion as to the wisdom of having course-signals? In other words, will he be kind enough to state whether it is simply the principle which is embraced in the amendment of the Delegate from the United States or the general discussion of the subject of sound-signals?

Admiral Nares (Great Britain).—It is a general discussion. If you will look at p. 11 you will find a reference to the subject of the course—east and west.

Mr. Goodrich (United States).—My eye had not fallen upon that discussion.

The President.—Is the Conference ready for a vote upon extra amendment No. 35.

Admiral Nares (Great Britain).—Mr. President, I should like to say one word before the Conference consent to sending that back to the Signal Committee.

Captain Shackford (United States).—That motion is withdrawn.

The President.—The motion is now upon the principle.

Admiral Nares (Great Britain).—Mr. President, if you adopt the principle it will come back to the Sound-Signal Committee, so that practically it comes to the same thing. I may say that we should be very hard put to it to give you really good distinctive fog-signals, that mariners will easily learn and remember, if in addition to the duties you have put upon us already you are going to add the duty of giving two more signals. These signals, if adopted, must be of the simplest and most distinctive character. You are drawing a very distinct line, which we can scarcely pass and still give you the other signals which you desire.

Captain Norcross (United States).—Mr. President, although I heartily approve of the principle, as contained in the amendment of Captain Shackford, we have already seen that there is a difficulty in finding these special signals. In discussing the various questions which have been brought before the Conference, some of the honourable Delegates have laid much stress upon the word "conservative." When this word relates to the Government interests or domestic policy of a whole nation, of a whole people, and it is found that changes or additions that may perhaps be beneficial to some one interest or some one section would injuriously affect the whole body politic, then I admit that this word should at all times be the guiding star of legislation. When, on the contrary, changes or additions that at the same time they confer great profit on individuals, communities, or districts, also react with injurious effect on the whole body politic, then this word becomes a curse, and degenerates into old-fogeyism.

We are met here because the changed condition of navigation had in the minds of many people made the methods of signalling by light or sound utterly inadequate to meet the requirements as regards safety. Opinions were sought after by Governments and by the individual members of the Conference, and where these opinions have been adverse to changes the only reason I have thus far heard given is that they might lead to complication, at the same time admitting that a better system is desirable. How do they know that the changes advocated by so many ingenious minds who have given time and study to these questions will lead to complication? They are very much in the position of the man who, when asked if he could play the fiddle, said he did not know, for he had never tried; and perhaps it is the case with many of these people, they do not desire to try, for the reason that they do not know. To play the fiddle requires some extra trouble and attention, which they do not wish to bestow.

I was very much impressed by that part of our proceedings last Friday which related to finding proper signals for admitted and necessary circumstances. We all got into a fog and were obliged to blow a long blast, hoping the Fog-Signal Committee would help us out of our difficulty.

We may have enough for ourselves, but our creditors are a little short. In other words, to those to whom we owe a special signal in order to provide for their safety we cannot give it, for there are not enough signals to go around.

What, then, is the natural consequence of the present manner of giving fog-signals? Does not this show a radical defect and one that cannot be remedied without having recourse to some system that will give us enough signals to meet the requirements of navigation? If one whistle will not do this work two can, and without complication. Every blast of either whistle will convey a message to the person who hears it. With one whistle we can only repeat signals by repeating the blast, and after three or four repetitions drop into almost inexplicable complications. If we have two, and we call the whistles No. 1 and No. 2, we can at least make four changes. We can call one one, two two, and combine one two and two one.

In the mariner's compass there are four cardinal points, North, South, East, and West. We can name one blast of the heavy whistle, North; one blast of the shrill whistle, South; one heavy and one shrill, East; and one shrill and one heavy, West. Such blasts can never mean anything else but the cardinal points. We cannot name a point of the compass without using these points. This is a complication, yet every sailor knows and remembers it. We may just as well say we can only name the cardinal points for fear of complication.

A short blast of the heavy whistle, say two seconds, an interval long enough to count five, and repeat the blast from the heavy whistle N, another blast of the heavy whistle, followed at once by the shrill whistle, would indicate to the seaman that those blasts came from a vessel steering NNE, and a sailor would easily and quickly learn it. With equal facility every point of the compass could be

designated except four, because the blasts given would each name one of the cardinal points of which a compass point is composed.

Now, with these two other whistles we can give a variety of other signals much required to provide for the safety of navigation.

Captain Kennedy, in speaking of fog-signals, remarked that his worst situation was when getting into the Channel to hear a lot of blasts without the possibility of knowing which way the vessels were proceeding. It is like the howl of the wolf in the desert, with no indication which way to flee from impending danger. It is a noise more calculated to unnerve than warn, because of its very uncertainty.

I believe this system of double whistles originally came from Denmark in 1878; that the experiments were in the highest degree satisfactory, and strongly recommended for adoption. I see no more complication in such a system than in the system of long and short blasts now in use to convey a definite meaning. The adoption of two whistles would multiply the possible number of such signals and be given with a much less number of blasts.

As proposed now, one long blast of the heavy whistle instead of two would indicate a steamer laying still in the water. A prolonged shrill blast would be an excellent signal of distress. A steamer towing could alternate with her compass blasts and a long blast of the heavy whistle. A sailing-vessel would never be obliged to use anything else than her course blast, for with the course known the tack she was on would be known, and also whether she was quiet or running. Vessels not under command could use two long blasts of the heavy whistle, and a vessel at anchor two shrill blasts. There are many other signals that could be adopted by such a system that would not clash with each other.

I do not wish to be understood as pressing the immediate adoption of this system by the Conference, for it must be admitted that we are perhaps not prepared to do so. But what I do hope is that it will not be passed in silence; that it shall be thoroughly examined, and that the attention of the Governments of the several nations may be called to it.

Although we have the system brought to our notice no one has presented the proper instruments. We must have whistles of equal intensity and penetration and range of sound, and it may be found necessary to use compressed air instead of steam on account of the tendency of the latter to condense in the tubes. This will perhaps lead to the necessity of extensive experiments, but we shall, I hope, have a permanent international Commission, and that Commission will in time be able to decide whether the advantages of such a system are manifest and its adoption of public utility.

Mr. Hall (Great Britain).—Mr. President, I would point out that the Report of the Committee on Sound-Signals is as clear as it can be, not only in regard to the general system of sound-signals, but with regard to any particular system of course-indicating sound-signals; and the observations which I am going to read from the Report of the Committee are as absolutely explicit upon the proposal before the Conference now as they are upon any proposal with regard to course-indicating signals, whether they be only two or thirty-two, because they point out that the course-indicating signal would lead to danger. They would lead to people acting rashly. They would persuade officers in charge to think that they knew where the other vessel was, and that would lead to a collision. If that be so, it is just as applicable to a system of two signals as to any other number of signals, more or less. At the bottom of p. 2 of the Report, the Committee say this:—

"The principal difficulty in making use of a practical system of sound-signalling in cloudy weather is taking in the signal correctly, not in making it.

"Until seamen are able to localize a sound with as great precision as they can the position of a light or object seen visually, the result to the mercantile marine from the adoption of a system of course-indicating fog-signals is, in the opinion of the Committee, a doubtful advantage. The chief use would appear to be to give facilities to approaching vessels, when not in sight of one another, and therefore when not certain of one another's position, to continue their respective courses without having first localized the direction and distance of the neighbouring ship, and for the two vessels to try to pass close to each other without taking the precaution of first reducing or, if necessary, stopping their way through the water."

I will call the attention of the Conference to the fact that this is not a question of giving a signal for some dangerous condition which vessels want to avoid. It is not a question of giving a signal when a vessel is towing something, and therefore there is danger to apprehend. It is merely a signal to enable vessels navigating east and west, presumably, to go more rapidly than they do now. These observations of the Committee cannot apply to any course-signals more strongly than to a system of only two in recognized waters like the Atlantic, because the whole of their objection applies to the fact that vessels using these signals will go more rapidly and try to pass one another more closely.

Then the Committee go on to say:—

"It is for the Conference to decide on the vital question, whether to permit the use of such signals in the mercantile marine or not. But the Committee submit that increased danger might possibly result, owing to the inability of a large majority of men to localize sounds with sufficient accuracy, if those in charge of steam-ships are encouraged to navigate their vessels past others not in sight in a less cautious manner than they do at present."

To what system of signals could these remarks apply more strongly than to a system of vessels plying east and west in the Atlantic.

Having regard to the very strong Report of the Committee on Sound-Signals, I certainly think would be acting very unwisely if we should adopt any system of course-indicating-signals at all.

Let us do our best to provide signals for the dangers of the ocean; but do not let us, in the face of the opinion of this very strong Committee, endeavour to provide signals simply to enable vessels to go faster than they do now and to run closer to each other, and thus involve a greater risk of collision.

The President.—The question is upon the amendment.

Captain Shackford (United States).—Mr. President, I beg leave to withdraw extra amendment No. 35.

Admiral Kaznakoff (Russia).—Mr. President, as we are now about to finish the Article regarding lights I wish to ask your permission to lay before the Conference some amendments which I present for the Committee. I think that these Resolutions of the Committee on Lights are to be taken in consideration in construing the Rules, and to be inserted not in the text of the Rules, but in notes annexed thereto.

The President.—The amendment will be read for the information of the Conference.

The amendments proposed by the Delegate from Russia on behalf of the Committee on Lights are as follows:—

"1. That in the opinion of the Committee the power of all running- and anchor-lights should be expressed by referring them all to one standard by which the light issuing from the lantern should be measured.

"2. That the minimum power only of each such light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the ship with proper lanterns to employ lamps of this or of higher power.

"3. That the use of electric incandescent lamps is to be permitted; that the use of the arc light, however, is to be, at least for the present, excluded for all purposes other than signalling and search-lights.

"4. That each lantern must be so constructed that the minimum power of light is to be found at every point where the light is to be visible, after the lamp has been fitted with proper screens.

"5. That the lanterns shall be so constructed as to insure the light having at least the required minimum power in the ideal-line connecting the lantern with the horizon, even though the ship be heeled one way or the other 12 degrees, or any number of degrees, to be decided by the Conference.

"6. That the colour of the glasses by which the colouring of the light is to be produced be so chosen that the lights retain their distinctive colour, even in a fog.

"7. That no detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given inventors to produce serviceable articles.

"8. To meet a number of complaints of the absence of proper lights on board sailing-vessels, the Committee propose to call the attention of the Government to the necessity of better enforcing the Regulations in the future."

The President.—What disposition does the Delegate wish to have made of these amendments?

Admiral Kaznakoff (Russia).—Mr. President, the Conference will see in the Report of the Committee on Lights these Resolutions. When we have considered these questions we will have finished with the question of lights. Otherwise, the question regarding lights will not be finished. There are some recommendations of this Committee which have not been discussed. Therefore I put this in the form of a Resolution.

Mr. Goodrich (United States).—Mr. President, as I understand it, the Delegate from Russia desires to have the recommendations contained in a note to the Rules or in a Report of the Conference to the various Governments.

Admiral Kaznakoff (Russia).—Yes, Sir; if the Conference find our position good, they will annex them in the shape of a note to the Rules.

Mr. Goodrich (United States).—Mr. President, I suppose this might be met by a special order, after the Regulations have been fully disposed of, and then we may discuss the various propositions in order. I do not see any other way of bringing them before the Conference unless they are referred to the Committee on Collocation. What does the Delegate from Great Britain think of that proposition?

Mr. Hall (Great Britain).—I think probably it would be the better course to pursue. We would then have the suggestions of the gallant Admiral printed, and would be better able to decide whether or not it is desirable that they should be printed as a note for the use of the various Powers. The Committee on Collocation will be able to call the attention of the Conference to the manner in which it is best to bring that about. The Conference is well aware that there is a note to be added to the Rules, on the suggestion of the gallant Delegate of the United States, with regard to the standard of candle-power. It will have to be dealt with by the Committee eventually, and therefore I think that the course proposed by the Delegate from the United States is the best one to pursue.

Captain Sampson (United States).—Mr. President, I would like to say that the opinion of the Committee, as contained in the first of these Resolutions, has, probably, as the Delegate from Great Britain has just intimated, been already decided by the Conference. It appears to me, without having considered the matter properly, that the fifth proposition involves the question which possibly, in principle, has not already been fully decided, as to whether it is possible to construct a lamp so as to fulfil these conditions. There is nothing in the Report which indicates that their conclusion is based upon absolute experiment in the matter. If that is so I think the proposition they make in the fifth proposal is a desirable one; but it will be necessary to have it first distinctly understood that the requirement is perfectly feasible before it could be incorporated as a note to the Rules.

Captain Mensing (Germany).—Mr. President, I think it would be desirable to have these amendments brought to a discussion before the Conference. I consider these as points that will have to be discussed, and I consider that they are of great importance. I am able to say at once what I have to

say with regard to this; but I do not think it would be in order at the present moment. I think it would be only right to have these propositions of the Committee presented to the Conference, and that they should be presented here so that a fair chance be given to get the opinion of the Conference with regard to them.

Mr. Goodrich (United States).—Mr. President, I will ask the members of the Committee on Lights if it will be satisfactory to them to refer this matter to the Committee on Collocation for the present. Of course I do not want to make any such motion unless it is quite satisfactory to the Chairman and the members of the Committee.

Captain Mensing (Germany).—Mr. President, I will simply say that I suppose the Committee on Collocation will be composed mostly of gentlemen of the law, and I think that these are eminently practical questions which should be discussed in the Conference.

Mr. Goodrich (United States).—Mr. President, I would suggest that a motion prevailed this morning to add two members to the Committee on Collocation, and that possibly it is the intention of the Chair to appoint nautical gentlemen upon that Committee; so that there will be only three lawyers against six nautical Delegates. Perhaps it would be in order to refer it to that Committee for the present, and then, when the Committee make their Report, the subject can properly come up before the Conference for discussion. I move that it be referred to the Committee on Collocation, unless some objection is made.

Mr. Hall (Great Britain).—Mr. President, I think perhaps it will be better if we have it in print before we decide what to do with it. I think there is a great deal to be said in favour of what has fallen from the gallant Delegate from Germany, that we certainly ought to affirm or disaffirm the principle of these amendments before the Collocation Committee deals with them. As soon as we have affirmed that principle, which I hope we can do when we have time to study them carefully, then, if the learned Delegate from the United States will move a Resolution referring it to the Collocation Committee, I think we will be able to better deal with the question.

Mr. Goodrich (United States).—Mr. President, I move that the amendment be printed and laid over for forty-eight hours, under the Rule.

The President.—It is moved that the amendment presented by the Delegate from Russia on behalf of the Committee on Lights be printed and laid over for future consideration. The Chair will state that these amendments are already printed in the Report of the Committee on Lights, and the Delegates can refer to that.

Mr. Verney (Siam).—There are one or two verbal alterations.

The President.—Then they will be printed.

Mr. Goodrich (United States).—Articles 8 and 9 are not in the Report.

The President.—The next order of business is extra amendment No. 36, proposed by the Delegate from Sweden. The Secretary will please read it.

The amendment is as follows:—

"Article 12 (*f.*) When a vessel is towed by a sailing-vessel, the vessel towed shall make with her fog-horn, at intervals of not more than two minutes, four blasts in quick succession."

Captain Malmberg (Sweden).—Mr. President, the Conference decided on the 8th November that this amendment should be referred to the Committee on Sound-Signals, so that it is already disposed of.

The President.—Has this been referred to the Committee on Sound-Signals? What disposition does the Delegate from Sweden wish to make of this amendment?

Captain Malmberg (Sweden).—This amendment was made, and there was some discussion about it, and it was ordered to be printed. At that time I said: "I have only handed it in to be printed in the proper manner and laid before the Conference, and, if the Conference will allow it, then let it be referred to the Committee on Sound-Signals."

Then the President asked: "Is the Conference ready for the question upon the substitute for paragraph (*f*)?" Then Captain Sampson, the gallant Delegate from the United States, said: "It seems to me that that is a privilege which belongs to the Delegate. It is simply presenting a new amendment, and that, I understand, he has a right to do at any time." The President then said: "The question is, whether it shall be received by the Conference now, or whether it shall be printed for further consideration." Then the Delegate from Sweden stated: "It must be printed, but I would like to take a vote upon the question, if the Conference will permit it, as to whether they think it worthy of being referred to the Committee on Sound-Signals or thrown out altogether."

Then Mr. Hall, the learned Delegate from Great Britain, said: "I think the learned Delegate from the United States will be able to lay a motion before the Conference which will provide for this and similar cases, and save considerable time." Then Mr. Goodrich, the Delegate from the United States, said: "Mr. President, a motion to commit being in order, after consultation with the Delegates at the other end of the table representing the various Powers, I desire to present the following resolution: *Resolved,* That the former Committee on Sound-Signals should consider and report the specific cases in which two fog-signals should be adopted, and report the specific signals in such cases." This resolution was put to the Conference and adopted.

So the Conference will see that for the present this amendment is disposed of by reference to the Fog-Signal Committee.

The President.—Then it does not come up for discussion now. The next order of business will be extra amendment No. 36, Article 13.

The amendment is as follows:—

"Article 13. Every ship, whether a steam-ship or a sailing-ship, shall in a fog, mist, or falling snow, go at a moderate speed.

"When hearing a fog-signal without its being ascertained whence it proceeds, a steamer shall be obliged to immediately reduce her speed to the minimum speed by which she can be manœuvred, not to manœuvre, and not to accelerate her speed until the position of the approaching vessel be known."

Captain Van Steyn (the Netherlands).—Mr. President, I handed in that amendment before I was able to read the Report of the Sound-Signal Committee to that amendment. After due consideration, I hand over another one, and a better one, in the same wording as printed in the Report of the Sound-Signal Committee.

The President.—If the Delegate from the Netherlands desires to substitute this for the present amendment, it will be read for the information of the Conference, and the question decided as to whether it shall be taken up now.

Captain Van Steyn (the Netherlands).—I desire this as a substitute.

The President.—It will be read by the Secretary as a substitute for amendment No. 36 to Article 13.

"Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at moderate speed. On hearing a fog-signal, without being able to ascertain whence it proceeds, the steamer shall be obliged to reduce speed, and if necessary to stop, and remain stopped until the other ship is located, with as much accuracy as possible, and then she shall proceed cautiously until all danger of collision has ceased to exist."

Mr. Goodrich (United States).—Mr. President, this Article is one of the most important in the whole of the Regulations, and the subject to which the Delegate from the Netherlands has called the attention of the Conference is no less important. After consultation with some of the Delegates outside of the Delegates from the United States, as well as with the Delegates from the United States, there was a consensus of opinion in the belief that the amendment which I hold in my hand will meet all views, and I will read it for the information of the Conference, as follows: To add to Article 13 the following:—

"A steam-vessel hearing before her beam the fog-signal of a vessel, the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop and then proceed with caution until all danger of collision is over."

In looking over the various amendments which have been suggested upon the subject, I think that the Conference will find that the general sentiment of all these amendments is embodied in the amendment which I propose. I have had in this the careful consideration and advice of the learned Delegate from Great Britain, and I believe that he cordially approved of this proposal.

The President.—Is the Delegate from the Netherlands willing to accept this as a substitute?

Captain Sampson (United States).—Mr. President, it seems to me that these amendments are too important to be dealt with in this way. I move that they both be printed, so that we may have time to consider them; or it strikes me at first blush that the Delegate from the Netherlands has stated the case more to my liking than the other amendment. I think we ought to have time to consider them before this is passed.

Lieutenant Vega de Seoane (Spain).—Mr. President, I beg to call the attention of the Conference to the wording of Article 13, and of the amendments proposed by the honourable Delegates of the Netherlands and of the United States.

Both in the text and in the amendments any allusion to precising the speed which vessels would be bound to maintain in a fog has been avoided. In consequence of such omission it might happen that a vessel was complying with the Rule by going at a certain speed, whereas another vessel, whose speed would be one half of the former's, would be found guilty of breaking the Rule.

Thus, in the case of a collision in a fog between a vessel going at an ordinary speed of 18 knots, which she had decreased to 15, and another vessel which retained her ordinary speed of 7 knots, the Courts might find themselves compelled to censure the latter because she was going at too high a speed, and to sustain the former, which, although going twice as fast as the other, had, however, reduced her speed, and thereby conformed with the Regulation.

Such a decision would be legal, I have no doubt; but, I ask you, would it be just? At all events, it would be the result of the Article and the amendments as they now read.

If the Conference consider that high rates of speed are a danger to navigation in a fog, it seems to me necessary to fix a maximum which could not, under any circumstances, be exceeded. It goes without saying that such a maximum should be different on the high seas than in the neighbourhood of much frequented waters.

If, on the other hand, the Conference consider that high rates of speed do not constitute a danger to navigation in a fog, it would seem natural that Article 13 be suppressed, and that the amendments of my honourable colleagues from the Netherlands and the United States be rejected.

I would, therefore, request the President to ask the Conference whether they consider it necessary, in the wording of Article 13, to fix a maximum speed, which should in no case be exceeded. If this cannot be done I shall take the liberty of presenting an amendment to that effect.

The President.—If the Delegate from the Netherlands wishes the amendment to be printed, discussion is not now in order.

These two amendments will be printed for further consideration.

Mr. Flood (Norway).—May I propose an amendment to Article 3, to be printed in the usual order, which bears upon that subject? I thought that when the Chair ruled against me a short time

ago that this was no longer before the Conference for discussion. I ask permission to have the amendment printed.

The President.—It will be read and printed.

The amendment is as follows :—

" Amendment proposed by Mr. S. W. Flood, Delegate from Norway, to Article 3 :—

" (*d*). Said green and red side-lights to be placed in steam-vessels not forward of the masthead-light, and in sailing-vessels as near abreast of the foremast as practicable."

Admiral Bowden-Smith (Great Britain).—Mr. President, may I, at this moment, take an opportunity of stating to the Conference the result of some trials which have just been made by the British Admiralty, not for the purpose of moving any amendment, but to give some facts which have just been arrived at, and which may lead the Conference to form some conclusion on these amendments when they come before them. It may be in the recollection of the Conference that about ten years ago some experiments were made with two English screw steam-ships. They were published by the Society of Arts, with the idea of seeing what power a screw-ship had to bring herself to rest from going at high speed. These trials were very inconclusive, and the Committee which examined them came to the conclusion that a screw-steamer going at a high rate of speed could bring herself to rest in from four to six lengths.

The British Admiralty have just now made some experiments with three ships to try to help us to come to a conclusion on this very Article which we are going to discuss by-and-by. They took three ships, the " Warspite," the " Thames," and the " Hecla." They were purposely selected. They were tried in smooth waters on a calm day, What they wanted to try was the difference of distance that these ships would take in coming to rest from going at a high speed, and the difference of space that they would take in coming to rest from going at a moderate speed. A moderate speed was taken to be 6 knots an hour, with plenty of reserve steam to bring them to rest.

The " Hecla " was the first ship tried. She was purposely chosen because she is not a man-of-war; she is an old ship purchased from the mercantile marine. They purposely tried her, because possibly she represents many merchant steamers that are now going along. She was put on the course at a speed of 12 knots an hour, and the engines were reversed, and by the time she was brought to full stop or rest she had travelled 3·8 lengths. She was then put on the course at 6 knots an hour, with a large reserve of steam, and she brought herself to rest in 1·3 length. I must mention that the "Hecla" is very nearly 400 feet long, and is of over 6,000 tons burthen.

The " Warspite " was put on the course at a speed of 14 knots an hour, and she was brought to a rest in 5 lengths. Then she was put on the course at 6 knots an hour, and brought herself to rest in 2·8 lengths.

The " Thames " was then put on the course. She is a very much smaller vessel. She is a 4,000-ton vessel, and about 300 feet long. She took a speed of 14 knots, and was brought to rest in 3·9 lengths. At a reduced speed of 6 knots she brought herself to rest in 2·1 lengths.

I think that these trials are very interesting. I have been trying to make out how it is that the " Hecla," which is 100 feet longer than the two men-of-war, and a heavier ship than the " Thames," managed to bring herself to rest in a little over her own length. The " Hecla " is an old-fashioned ship, and carries a four-bladed single screw. I have come to the conclusion that a ship with a single screw seems to have more power to bring herself to rest than a twin-screw ship; because you will remember the " Hecla " and the " Thames " brought themselves to rest, at a high speed, in almost exactly the same space; whereas the " Hecla," when she reduced her speed under 6 knots, brought herself to rest almost in her own length, and the " Thames " took two lengths to do the same thing. The conclusion I have arrived at is this: that the ordinary screw-steamer going at from 4 or 5 knots an hour, with a large reserve of steam, can bring herself to rest in very near her own length by reversing the engines.

Captain Sampson (United States).—Mr. President, I think we are very much indebted to the Delegate from Great Britain for what he has said. It has certainly a very important bearing upon the discussion of this subject of the speed of ships in a fog. I would like to ask him if any experiments were made to determine the time or the distance within which a ship could bring herself to rest when she was running with steam pressure corresponding with her speed. That is important for this reason : If we prescribe the Rule as it stands now, that a ship shall go at a moderate speed in a fog, of course such a ship will, under ordinary circumstances (if she has power to go 20 knots an hour and desires to run at a moderate speed), reduce her speed to 10 knots an hour by reducing her steam pressure; so that a vessel which, we may suppose for example, has a power to steam 20 knots, would with her engines reversed, and with a steam pressure capable of driving her 20 knots an hour, probably stop herself within one length. But if she is running at moderate speed for an indefinite length of time, her steam pressure is not sufficient to develop the full power of her engines; and the distance she will move after the engines are reversed is very much greater than would be represented with the full power of her engines, and a corresponding steam pressure.

Captain Mensing (Germany).—I would like to ask the question whether these steamers were tried with their helms amidships, or whether the helms were put hard aport? The experiments made in Germany, so far as I remember, were about the same as those reported here. So far as I know they were even shorter than those just reported. But I think it makes a great difference, and it would be of some value in understanding this question, whether they carried their helms amidships or carried them hard up. Generally steamers which have to get out of the way of other vessels in a fog carry the helm not amidships, but hard over one way or the other.

Admiral Bowden-Smith (Great Britain).—In the trials of which I have spoken, their helms were kept amidships; but several other trials were made with the helm hard over, as has been stated by the Delegate from Germany.

The President.—The Chair desires to state to the Delegates that they are requested to correct the Protocols distributed to-day, as soon as possible, and call the attention of the Secretary to any errors in them.

The Conference thereupon adjourned until Tuesday morning, November 12, 1889, at 11 o'clock A.M.

Washington, Tuesday, November 12, 1889, 11 *o'clock* A.M.

THE Conference met at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

Mr. Hall (Great Britain).—Mr. President, I understand that we have before us Article 13, which is the Article, as the Delegates will remember, dealing with the rate of speed at which vessels are to go in a fog. I think it would be desirable for us, before attempting to deal with exceptional cases, to have an expression of opinion from the Conference as to what the main principle is to be; whether or not it is desirable to alter the main principle, or whether it is desirable to leave it as it is.

You will notice that in the amendment which follows the amendment of the learned Delegate of the United States, which I think stands first in order—the thirty-sixth extra amendment—there are several amendments which deal with individual cases, if I may so call them, such as vessels in ice regions, fishing-grounds, &c. The thirty-sixth amendment, that of the Delegate from the Netherlands, has not been dealt with at present. I refer to it for the purpose of showing that it is an amendment which deals with the very important question as to what is to be done when a vessel hears a fog-signal.

Notice has been given of amendments by the learned Delegate from the United States, the gallant Delegate from the Netherlands, and the learned Delegate from Germany. But I think this is a matter upon which it would be desirable to get the opinion of the Delegates on the question of principle as to whether or not we shall lay down a Rule upon such a point; and, if so, then all of these three amendments can be discussed. Before we do that, however, I think it is desirable that we should, first of all, determine whether the Article as it stands should remain a part of the Rules. I do not think we can judiciously discuss the conditions and exceptions to that Rule until we know what the principle of the Rule is to be. I need not read the Rule, as all of the Delegates know perfectly well the Article as it stands.

What I venture to submit is that we should decide upon the principle as to whether or not that Rule is to stand as it is, and then add to it subsections or clauses dealing with exceptional cases; for instance, with vessels hearing whistles in a fog, and laying down what their action is to be under such circumstances. In that way we shall be able to clear the ground and be able to deal with it, I think, in consecutive order.

There is an amendment proposed by my learned friend, the Delegate from Germany, and the only amendment, so far as I can see, which proposes to alter the first part of the Rule as it stands. He has also proposed to add to the Rule a provision with respect to vessels hearing a whistle in a fog. With regard to the former part of the amendment I think it will probably be desirable for us to determine whether or not we should alter the entire principle of the Rule as it stands, or the wording of the Rule as it stands.

I may say on behalf of my colleagues that we are most anxious that this Rule should be obeyed in its entirety. We think it a most important and salutary one, and we wish to support it as strongly as we can; but we have not been able to shut our eyes to the fact that if we endeavour to make the Rule more precise we shall very likely fall into the very pitfall which we wish to avoid; because directly we attempt to precise what shall be done and what speed shall be kept up by a vessel navigating in a fog we shall immediately run ourselves into a great difficulty, because what is a moderate rate of speed may depend upon the density of the fog or upon many other circumstances.

You cannot lay down any rule, absolutely, to determine what would be a moderate rate of speed in a fog. What would be moderate in one fog would be exceedingly fast in another. Therefore it is, I apprehend, that the General Rule was drawn up originally that vessels were to go at a moderate rate of speed, because it was found impossible to precise the particular rate of speed. I think that if we keep the Rule as it is and then add a Rule as to what is to be done by a vessel when she hears a signal in a fog, we shall improve the Rule and will not impair the general principle as it stands at present.

We are only too anxious to make this Rule more stringent, and we have tried very hard both before we came here and since we have been here, but we have failed altogether to find any form of words which would carry out those wishes, without making the Rule open to misconstruction, and without leaving many cases unprovided for, which would of course be very objectionable in any General Rule which may be adopted by us here. Therefore, Mr. President, I would submit, in order to put myself in order, that Article 13 stand as it is at present, subject to conditions with regard to the conduct of vessels when they hear a whistle in a fog.

Mr. Goodrich (United States).—Mr. President, the learned Delegate will find in Article 13, extra amendment No. 9, an amendment proposed by Captain Shackford for the elimination of this Rule. I desire to say on behalf of Captain Shackford and the other American Delegates that this Amendment was proposed for the purpose of testing the judgment of the Conference upon this Article 13, in the manner proposed by the learned Delegate from Great Britain; and the entire Delegation of the United States, Captain Shackford included, is opposed to the elimination of this Rule. But I suggest to the learned Delegate from Great Britain that instead of making his motion to let the Rule stand, it would be a little more in order to take a question upon this motion of Captain Shackford and vote it down. If there is to be opposition to that Rule, either now or hereafter, I should like to be heard upon the question; but if it is, by unanimous consent, the desire of all the Delegates that the Rule should stand as it is, I do not care to waste any time in discussing the proposition.

Mr. Hall (Great Britain).—Mr. President, I think that certainly would be the better course to pursue, because we have an amendment already on paper to the same effect as the Resolution which I was prepared to move. Therefore I wish to adopt the suggestion of the learned Delegate of the United States, and ask the Conference to deal now with extra amendment No. 9.

The President.—If there be no objection, extra amendment No. 9 will be first taken up. It will be read by the Secretary.

Mr. Flood (Norway).—Mr. President, may I take the liberty of asking if it would not be in order to consider the other amendments to this Article 13 before we go to the question of whether it shall be abolished altogether? If that motion passes the Conference, I do not see how the other amendments can be heard at all, because if it is decided to abolish the whole Article there will be no chance for the amendments. I ask the liberty of having a ruling in the matter.

The President.—The Chair decides that the Delegate from Norway is right, that should the Conference decide to abolish this Rule all amendments proposed to the Article would be settled.

Mr. Flood (Norway).—Mr. President, I took the liberty of offering two amendments to this Article 13. I beg leave to have action taken on the first one—extra amendment No. 1.

The President.—The Chair suggests that if the Delegate from the United States withdraws his motion the matter would come regularly before the Conference on the motion of the Delegate from Great Britain.

Mr. Hall (Great Britain).—Mr. President, may I point out that, even assuming, which I do not even for one moment believe, that this motion should be carried, then it is only to strike out the Rule as it is at present. It would be perfectly in order for the Delegate from Norway to propose his amendment immediately. I can assure him that, so far as we are concerned, we are very anxious to consider his amendment. There is not the slightest intention of not discussing the whole of these amendments. But we want to get the principle determined first, and therefore, even assuming that it is the idea of the Conference to strike out this Article, the Delegate from Norway would be in order in moving his amendment to take the place of Article 13. I am only pointing out that in order to clear the way towards the discussion of the amendments, we ought to have a clear principle to guide us, and then deal with exceptional amendments afterwards.

Mr. Flood (Norway).—Mr. President, I am perfectly satisfied with that.

Dr. Sieveking (Germany).—Mr. President, I think it has been very clearly pointed out by the learned Delegate from Great Britain that questions of principle and questions of detail had better be kept apart in this discussion. There are some questions of detail, such as whether, when hearing a fog-signal in crowded channels, certain precautions are to be taken; but these instances refer to particular circumstances. Then there are questions of principle, which I think are most important ones, and which must be dealt with together. If we put the question only whether Article 13, as it stands, is to be obliterated or not, the answer would be, if it is not to the effect that the Article is to be obliterated, it is to stand, leaving it open as to whether additions are to be made to it or not.

Now, there would be another alternative, and that is the alternative that other words are to be substituted in Article 13. I think that the question cannot be discussed thoroughly without dealing with these alternatives, and, therefore, I propose that in the discussion we should lay aside all special and exceptional circumstances, as I may call them, and as has been pointed out by the learned Delegate from Great Britain, and deal with this question; first, whether the Article that vessels are to proceed at moderate speed should be kept as it is, or whether the expression of any other principle is to be substituted for it.

The amendment offered by the Delegation from Germany intends to bring in another principle, or another wording, it might be better said. There is not so much a different principle; but the intention is to provide a different wording for Article 13. I think, therefore, it would be best to discuss the question whether the Article is to be kept as it is in principle, subject to conditions in detail; whether it is to be obliterated; or whether there is to be substituted something in its stead, which is the proposition brought forward by the German Delegation. I think the discussion should not be carried on without treating all these questions together, and I therefore shall propose that the discussion shall be carried on on this extra amendment No. 9, and extra amendment No. 22. These are the two amendments which, in effect, deal with this question of principle. Then we will leave the details for further discussion.

Captain Richard (France).—Mr. President, Article 13, now under discussion, is one of the most important, if not the most important, of all to which we are giving our attention. So far as I am concerned, if the question of principle had not been brought up, I would have carefully abstained from touching it; I would have hesitated to shake to its foundations the edifice and tear it down before I knew with what I could replace it; and I would have feared that an incomplete discussion would have caused only the deepest confusion in the minds of all. But inasmuch as the discussion has begun, and that we have been called here to do so as thoroughly as possible, I ask permission to make a few remarks in regard to Article 13.

I would first call the attention of the Conference to the difficulties which the wording of it present, and then I would present the distinctions which, in my mind, it would be proper to draw in order to formulate a text which would answer, as far as possible, the present requirements.

I am a partisan of moderate speed in a fog, and I would not like to see Article 13 disappear without leaving a trace. Certainly criticisms of the term "moderate speed" are not wanting. Many of them are true and just, but in spite of them "moderate speed" has remained in the language of the Rule, solely because no better term could be found to apply concisely and generally to all the cases which may arise. The expression, such as it is, furnishes to the Judge a relatively easy means of basing his decision in the case of a collision in a fog. It is, however, a dangerous weapon suspended over the head of the mariner, ordering him to observe the greatest care and the strictest prudence. Thanks to it, whatever may be the speed of his vessel, he can nearly always be found guilty of having

exceeded "moderate speed" whenever misfortune shall have led him into a collision. Is not this going too far in a general manner, and does not the object shoot beyond the mark?

The necessities of commercial relations and of rapid communications are such at the present time that it seems difficult to prohibit or to interfere too much with swift navigation. What, then, are to-day the facilities which we can accord to it, and what must we refuse it?

We have among us in this Conference a considerable number of captains of the merchant navy who have commanded vessels renowned for their speed. Let them tell us how they have understood the expression "moderate speed" in a fog. Let them explain what moderation they have made under the conditions provided for by Article 13, in the engines of those vessels. What was the reduction of speed in knots? I fear that they have generally diminished by only 1 or 2 knots the speed of the engines, in order to enable them to inscribe in the log-book "diminished speed." It must be taken into account, and the more so as habit has become a practice, notwithstanding Article 13 and the expression "moderate speed." This expression is liable to many interpretations. The idea is far from my mind to hamper swift navigation; but if I am inclined to allow it, in certain cases and under certain securities, to attain the necessary speed, and to admit a relaxation in its favour of the Rules as to diminishing speed, I am, on the other hand, of the firm belief that it is important, while retaining, in the language of Article 13, the term "moderate speed," which compels the captain to exert the most vigilant look-out, to assign to it a more clear, precise, and definite meaning.

The difficulty lies evidently in the wording of the Rule, even should we be all unanimous on the subject itself. Until now, no one, it seems, has endeavoured to establish clearly the speed which a vessel should not exceed in a fog; we have remained in doubt, and any captain has reason to fear that the Courts will always find his speed either too great or too slow, and will accuse him of negligence.

Where will we find the decisions of the Courts defining "moderate speed?" I was recently reading a work which I see in the hands of many of my colleagues—I mean the work of Marsden—and it seems to me that the clearest definition of the views which lead to a determination of the speed in conformity with the Rules may be thus expressed:—You must regulate your speed in such a manner that you will have the necessary time to see any vessel which may run the risk of running into you, or of you running into, at such a distance that you will have the opportunity and the room to avoid her. In other words, you must so regulate your speed that collisions cannot occur. The intention is good, but is it realizable? In those intense fogs which sometimes cover the Banks of Newfoundland, the Channel, &c., and which prevent your seeing from the foremast to the mainmast of the vessel which you are on, is it really possible to comply with this Rule, however moderate, in its strictest sense, the speed may be? Then you must stop. Why remain stopped in waters which are seldom or not at all frequented, and how impose such a slow rate of speed upon steam-vessels and sailing-vessels? Then the rule adopted by the Courts does not sufficiently take into account the interests which are at stake, such as the interests of commerce, of passengers travelling toward their destination, and postal communications. The Governments themselves have contracts with navigation Companies for carrying the mails, and compel them under penalties to deliver their mails within a specified time. How will the vessels of those Companies do in a fog lasting five or six days, supposing that they reduce their speed to 5 or 6 knots, which, in my opinion, is still insufficient to obey the Rule which I have mentioned above. In order to remedy that condition of uncertainty, an ingenious appeal has been made to the rates of speed proportionate to the maximum speed; and it was admitted in certain circles that moderate speed for a vessel, going, for example, 20 knots maximum, is 14 or 15 knots; and that for one going 10 knots, it was 5 or 6 knots. But a vessel of 10,000 tons which goes 4 knots is more dangerous in a collision than a vessel of 300 or 400 tons which goes 8 or even 10 knots. Moderate speed spoken of in Article 13 has a double object: first, to avoid, as far as possible, collisions; and, secondly, to render them less dangerous when they cannot be avoided. How can these requirements be reconciled with the practice and the moderate speeds proportionate to the maximum speeds?

I think that most of these difficulties arise from the fact that it has been endeavoured to apply the same law to cases too far apart to be classed together, without regard being had to define the limits of elasticity in which each of them could operate. I would, however, retain the term "moderate speed," but defining it according to circumstances. Now, I distinguish at least two cases: the first applies to the high seas; the second (and perhaps it ought to be subdivided into many parts), includes narrow waters, fishing-grounds, and frequented coasts.

In the first case I would say to the captains: "You have plenty of room; go as you like, at any speed which suits you, but pay attention and watch closely, for you are always under the charge of 'moderate speed,' and if a collision results from your negligence you will be held to be the guilty party.

"In the second case it is no longer the same. There is actually too much danger to allow you to act as you please; I will assign to you a maximum of speed. You will not, after the fog shall have become so thick as to prevent your seeing, exceed, for instance, a speed of 5 or 6 knots."

I know that many mariners will object that this speed will not be sufficient to steer by. All the large steamers which go 20 knots pretend that they must retain a speed of at least 14 knots in order to be able to steer. This objection does not affect me very much, for it is, after all, but a demand for a privilege which, after the concession made above, I feel entitled to refuse them, for whatever may be the volume of a vessel, whatever may be her form, her engines, her rigging, I claim that a speed of 5 or 6 knots will allow her to remain generally in a condition to steer. If I were to make any exception at all, I would perhaps do so for vessels in water ballast, whose rudders emerge almost entirely out of the water, and which might therefore possibly claim a little more speed to enable their rudders to have sufficient action.

The vessels of all nations traverse the Suez Canal. I have never heard it said that large vessels making the passage have ever claimed to be allowed to go at the rate of 14 knots under the pretext

that below that speed they could not steer; and I do not know of any example of vessels having renounced the passage for that reason. It is known that the speed in the Canal was at first calculated at 5 knots, in order that the banks should not be damaged by the eddy caused by the vessels, and it is only lately that this speed has been increased in order to facilitate the traffic, and not to render the vessels more manageable.

For these various reasons I wish to know whether the Conference cannot decide that in narrow waters, on fishing-grounds, and on frequented coasts, the expression "moderate speed" does mean "speed not exceeding so many knots."

To return once more to the question of principle, and to clearly set forth my opinion, I think that we should examine Article 13 in three different aspects:—

1. What is "moderate speed" on the high sea?
2. What is "moderate speed" in narrow waters and on frequented coasts? And
3. What is "moderate speed" on fishing-grounds?

I think that this decision is the only one which will allow us properly, sufficiently, and explicitly to respond to what all mariners expect of us, in view of the uncertainty which reigns as to the true nature of "moderate speed" in Article 13.

It might perhaps be well to specify furthermore in the same Article the degree of density of the fog; for to allow the interested parties to interpret its meaning would, by the elasticity thereof, give rise to many and different interpretations. Perhaps it would be sufficient to insert the words "heavy fog" in the text.

Dr. Sieveking (Germany).—Mr. President, the discussion having now been opened on the question of principle, I think I would be in order if I tried to explain the views which the German Delegates entertain on this question of the principle of moderate speed. I need not say that this is a question of the very greatest importance. I believe I am right in saying that it is a question the answering of which is expected by the whole world. Everybody whom I have spoken to about the subjects which are to be dealt with in this Conference has been sure to mention, "What are you going to do about the "moderate speed" Article?" Certainly there cannot be a doubt about it that the dangers arising from fogs in thick weather are the most serious which a vessel can meet with in any waters. Therefore, I think it deserves the most careful consideration that we can possibly give it, mariners as well as lawyers. We have to examine and decide whether, as it stands at present, it is good in principle, or whether something else should be substituted for it.

In trying to answer this question, I beg to say that I think it must be one of our leading principles to frame the Rules so as to make them intelligible to sailors. It has been repeatedly stated here that the Rules are made for Jack Tar. He should know what is meant by these Rules, and that is of the greatest importance as regards this Article. The infringement of the Rules of the Road, wilful or negligent, is, I think, considered a misdemeanour by the laws of all civilized countries. By this reasoning alone I think it is plainly shown that we ought to say quite clearly what is a sailor's duty; and the question is, whether this Rule, as it is now, that every ship in a fog has to go at moderate speed, is clear and intelligible for common sailors, or whether it is not.

Now, I do not think that I have to say many words to prove that the Rule is not intelligible to ordinary sailors. In the first discussion which has been carried on on this subject, the learned Delegate from the United States had the goodness to tell us: "I took the precaution during the summer to have a circular sent to the ship-masters in order to get their ideas on this question of moderate speed. In reply I received letters from the ocean flyers and from small steamers, and from sailing-ship-masters, and I notice a curious fact, that every man answers according to his vessel. A vessel that would sail 20 miles thought 16 miles an hour was moderate speed. A vessel whose maximum speed was 16 miles an hour thought 12 miles an hour would be moderate speed. The man whose maximum speed was 10 miles an hour thought 7 miles moderate speed." I think that is quite reasonable. If you tell a master mariner that when he is in a fog, he must go at a moderate speed, the most natural reply would be: "My vessel goes regularly at a maximum speed of 18 knots an hour; in a fog I go at 14 to 16 knots an hour. I call that a moderate speed."

Now, in another respect the Rule is not intelligible. What do the words "in fog, mist, or falling snow" mean? In a fog—whether a dense fog or not is not stated—there is another ambiguity. We have on this Article the experience of nearly thirty years. For steamers it was introduced first in 1863 or 1864, and since then the Courts have had to deal with a great many of these cases. Allow me to support what has been the interpretation of this "moderate speed" Article which has been arrived at by the Courts. I take the Courts of Great Britain and those of the United States because they have the greatest experience; but I may say that the Courts of Germany fully agree with the conclusions of the Courts of Great Britain and the United States. The substance is given in Marsden, and I may quote some of the decisions. First of all he says: "Moderate speed is a relative term; it cannot be defined so as to apply to all cases." That shows that it is an expression which is not beyond every doubt. Then he lays down as the result of a number of Judgments this rule: "It may be stated as a general rule that speed such that another vessel cannot be seen in time to avoid her is unlawful."

So, moderate speed, as it stands now, prohibits the speed which is so great that another vessel cannot be seen in time to avoid her. The speed must be slackened to such a degree that it is possible to avoid another vessel on seeing her. Then again it is said: "At whatever rate of speed the ship was going, if going at such a rate as made it dangerous for any craft which she ought to have seen, she ought not to go at that rate." And again it says: "In a fog so dense that it is not possible for a ship to see others in time to avoid them, she is not justified in being under way at all, except from necessity." In America it was said by the Supreme Court of the United States that a steam-ship must lie to, if she is in a fog, in a crowded path at sea, and cannot go ahead so as to have steerage way on her without danger to other vessels. This is laid down as the rule expressed by the several Judgments of

the British Courts. In very thick weather, or great darkness, a vessel is not justified in running through a crowded roadstead, but should, if possible, bring up.

Now, this is the result of twenty or thirty years' experience in the Courts. What does it come to? I think it comes to this: That the Rule has been interpreted by the Courts in a way which applies to it quite a different meaning from what the common language and the common sense of sailors would apply to it. To confirm this I would like to call the attention of the Conference to what is the actual practice among seamen. You ask them: "What do you do in a fog," and the answer is given in the way I mentioned before; and the inquiries instituted by Mr. Goodrich have led to answers showing that they go at a speed of 2 or 3 or a few knots less than their maximum speed.

The instructions which are given by owners to their masters are in the same uncertain way. I have before my eyes a Report by the Committee of the Society of Arts on Collisions in Fogs. This Committee has also examined a great many owners and a great many masters of ships as to what they really do in a fog, and what their instructions were. The Managing Director of a very important line of steamers produced the printed orders issued by the Directors to their captains. In one set of Regulations, said to specially apply to the management of the ships in narrow waters, the official International Regulations were emphasized with great stringency. No language could be stronger than the language of the Directors that reduction to "moderate speed" down to "stopping" should always be practised in fogs. In another set of orders from the same Directors, applicable to the open ocean, the directions were confined to a few words, saying, "The captains were instructed to comply with the law."

What are the captains to do? They ask what the law is, because they are responsible for what they are doing, and in cases of collision, with loss of property and life, their doings and their behaviour are subjects of a very severe examination on the part of the Courts. They ask their owners: "What am I to do?" The owner says: "Comply with the law." I say that this is not a sufficient instruction to sailors who are responsible with their property and with their liberty for carefully observing the law. The law should more fairly tell them what they are to do. We have tried to put something in the place of this law, which I think I have shown to be objectionable as it now stands; and I am not alone in my opinion.

I may also add that this Committee, which has made a very careful inquiry, say, in their Report, when the question was raised whether it would be advisable to preserve the *status quo*: "They do not hesitate to say, however, that they are unanimously of the opinion that to adopt the first course, the *status quo*, would be most objectionable." Therefore, I say that we have tried to provide something instead of this objectionable Rule. I do not intend to introduce anything new. I only intend to make the Rule plainer, to make the Rule more stringent, to give the utmost possible safety to the lives and property which are endangered by foggy weather, and to follow the experience which has been continued during twenty or thirty years during which this Rule has been established. And I think that no better course can be adopted than to take out of the Judgment of the British Courts and the Courts of the United States what they have arrived at as the view which they take of the law. I think I shall meet with the approval of everybody here when I say that there are no Judgments in the world which are so in accordance with the feelings of equity and with the laws of true reasoning and common sense as the Judgments of the highest Courts of Great Britain and of the United States; and I therefore think we cannot adopt a safer proceeding than to say what they have arrived at, and we think that is what ought to be embodied in the law.

It may be said in a very few words what the conclusions are to which the Courts of the United States and Great Britain have arrived. It may be expressed in these words: In a fog the speed must be as moderate as the circumstances of the case require. That, of course, is, it might be said, a somewhat elastic Rule, but it gives a true Rule and it gives a Rule which can be observed and which will be observed, and which, if not observed, can be enforced by severe penalties. In fact, all the Judgments I have quoted come to this; they say, moderate speed, you cannot define it absolutely. You must not define it absolutely. It depends upon the thickness and density of the fog. What is permitted under some circumstances is prohibited and is criminal under other circumstances. I think that is quite clear, that it is obvious to everybody.

The Rule as it stands seems to be an absolute Rule. It is too strict on the one hand, and it is too weak on the other. That it is too strict on one hand is shown, for example, by this: "If a fog is only such a fog as to allow a vessel on seeing another vessel to be able to keep out of the course she is taking, that vessel may be able to keep out of the way of the other approaching vessel without moderating her speed by simply turning the helm." If the fog is only so dense as that, I think it is quite obvious that it is unnecessary in the Rule to say you ought to moderate your speed. Why? There is no danger. If I can turn my helm in time to avoid a collision, the speed is of no importance whatever. The consequences in such cases would be bad, because, clearly, the danger to which this vessel is exposed in a fog would be prolonged without any necessity.

On the other hand, the Rule, under many circumstances is by far too weak. I only speak of the Rule as it is taken by common sailors. Take a fog so thick that you cannot see one-half a ship's length. You cannot bring a vessel to rest or to a stand-still even if the vessel goes at a very moderate rate of speed—not only at a moderate rate, but at a very moderate rate of speed, say 3 or 4 knots an hour; but there might be certain circumstances where the danger might be avoided in another way than by moderating the speed. Moderate speed would be of no effect, but bringing the vessel up or lying to, would have the effect of avoiding a collision. It is quite clear that this cannot be prescribed, as a rule, for all circumstances, but it can under certain circumstances, as, for example, on a river where vessels may come to anchor without any harm.

These Rules are to be framed for all waters, not for the open sea only, but for all waters, and they ought to take these cases into consideration. Therefore I think that if we say that in a fog the utmost precaution which is possible under the circumstances must be taken by the officer in charge of

a vessel, we are better expressing the true meaning of the law than it is expressed in the present Rule. I do not attach special importance to the wording of the amendment. I only mean to say that we have tried to give expression to this principle. We say: "In a fog, mist, or falling snow, every ship, whether a sailing-ship or a steam-ship, shall, besides taking all other precautions required by these Rules, or by the ordinary practice of seamen, so far moderate her speed as is consistent with her own safety, and under the circumstances of the case necessary to prevent risk of collision." I think these are the two objects which must be kept in view. The speed must be regulated so as to prevent risk of collision as far as possible under the circumstances of the case. That embraces the possibility that the vessel has to stop altogether.

It must always, of course, be borne in mind that a vessel sometimes cannot do so without endangering her own safety; therefore we think that these two points ought to be laid down as characteristic of what is to be done in a fog: moderate the speed as far as possible under the circumstances of the case necessary to prevent risk of collision, subject to the proper regard that must be taken for the safety of your own vessel. That, of course, would leave the management to the care, skilfulness, and prudence of the master in command; but the Courts would have to decide whether, in fact, he had taken all the precautions or whether he had not done so. The density of the fog, the nature of the ship, whether she can steer easily or not, whether she can be brought to rest in a short time or not, the probability and possibility of meeting other steamers, the circumstance whether a vessel is in a crowded channel or roadstead or the open sea where there is scarcely any possibility of meeting other vessels, all these circumstances, and many others, so alter the situation of the case that it is quite impossible to give any rule which embraces any other principle than that of "be careful to the utmost of your power." That is what the Rule is to express; and I think that is a better principle than to say, "Go at a moderate speed," when nobody knows what moderate speed is, and where the experience and every day's occurrence show that the Rule is never complied with.

Mr. Flood (Norway).—Mr. President, it may seem uncalled for or almost impudent in me to attempt to offer some remarks on the question of "moderate speed" as a general principle, after what has already been so ably and earnestly said by the learned First Delegate from Germany; but I feel it my duty to speak upon the subject and to try to illustrate my impressions by practical arguments taken from experiences in daily life, particularly from the broad ocean itself, based as they are on long, personal experience, and backed, as I really am, by a host of practical men and experienced colleagues from my former vocation who are certainly competent to form an intelligent idea on the subject.

I must, however, at the outset ask for your indulgence, Mr. President, as well as for yours, honourable Delegates to the Maritime International Conference. I know you will, Gentlemen, if not able to agree with me or assent to my ideas, at any rate respect my earnest convictions, and for the sake of my good intentions, overlook and excuse my shortcomings.

I was asked in this Conference a few days ago what was meant by "dangers of navigation." I will now answer. The greatest danger of navigation I know of is, during a heavy fog, to fall in with one of the ocean racers, or greyhounds, as they are fitly called, who recklessly, with full speed, or even with what they call moderate speed (1 knot or 2 knots less per hour, or a few insignificant revolutions less per minute), traverse the ocean under the well-known system that has got its rather cutting characteristic in the following expression, said to have come from the bridge of one of those crack steamers: "Heaven, hell, or New York in seven days is my order." They speed along like a thunderbolt, and if they strike a lonely vessel in the fog, they are prevented by their own speed from rendering assistance or saving life. It is like the arrow's speed in its flight; and what an arrow! Length, 500 feet; weight, 10,000 tons; force, 12,000 horse power; speed, 18 to 20 knots an hour, which means 30 to 40 feet in a second, or the speed of an ordinary railway train

Why, Mr. President, in a second or two the prow of such a vessel would cleave through, from side to side, the ill-fated vessel crossing its road—no matter if she was a solitary fishing-smack with a few hands on board, or if she was one of the big steam liners carrying the population of a town. In the first case the big steamer would most likely pass through unscratched, and I fear the silent ocean could tell many sad tales about this. In the second case it might mean destruction to herself as well. But the ocean is not for those fast steamers alone. They have not even the birthright to Neptune's vast domains. The broad ocean, with its inlets, bays, fiords, and sounds, belongs as much to the humblest merchant-vessel or fishing-smack as to finest palace steamer or proudest man-of-war afloat.

Why is it that a cabman in heavy fogs must drive slowly or even walk his horses? Surely for the protection of life and limb. If this is the case, even in our wide streets, how much more ought reckless sailing in heavy fogs to be restricted. How do railway people behave in heavy fogs? Of course they have to slack the speed of their engines, and go slowly and cautiously, or even to stop; and, remember, the railway cars have tracks to follow, and stations with all their appliances for signals, &c., at short intervals; but where are tracks and where are signal stations on the high seas? And still we find that steamers crossing the ocean rush into defenceless, stationary fishing fleets, far out on the Newfoundland Banks, often in heavy fogs and during heavy rain-storms in pitch-dark nights, with the speed of an ordinary railway train.

My impression is, guided by long personal experience formerly as a seafaring man, and for the last fifteen years in the underwriter business, that the present light and sound systems need few, if any, improvements; but that safety at sea depends more on regulations of speed in thick weather than anything else. You may illuminate your vessels from stem to stern; you may furnish them with fog signals so as to make the whole vessel a gigantic music box; it will do no good, unless the speed, in foggy weather or rain-storms at night, is reduced within reasonable limits.

When the immortal Stephenson was before the Parliament, advocating his railway project, many objections were made by members. One gentleman said: "Now, Mr. Stephenson, when your train is rushing along at such break-neck speed as 20 miles an hour, and a cow crosses its path, would not that

be dangerous?" "Yes," answered Mr. Stephenson, "it would be very dangerous for the cow." That, I am told, settled that question. But in this case it is not the question of a cow coming in the path of a swift ocean greyhound, but ships freighted with human life, fishing-vessels at anchor, sailing-vessels hove to, cargo steamers, and liners full of teeming life—all are exposed to sudden annihilation from the piercing prow of the racing 10,000-tonner.

This is the problem before us: The reducing these dangers to the lowest limit. We should not leave the master of the swift steamer between the two dilemmas always besetting him in fog; on the one hand slow speed, long voyages, displeasure in the home office; on the other hand full speed, quick passage, but dangerous, or, at any rate, always hazardous. Give him the benefit of your experience, the assistance of your authority. Let it here be decided or pointed out to him what he must do. Let us give expression to the accumulated wisdom and experience of this august assembly. Let us not avoid the question and leave it to the decision of the individual master, beset as he is by surrounding danger and by the bent of his natural inclination to be reckless or timid.

My definition that moderate speed should be equal to half speed may not be proper. Then change it; put it to the vote of this Conference whether 18 knots is moderate speed, or 16, or 12, or 10, or what. We may all hesitate in saying what is, under all circumstances, moderate speed; but we can say what we think and consider under some circumstances to be *immoderate* speed. Let us give expression to that, and see to it that no man, out of ignorance or recklessness, shall believe that he is going at moderate speed when he slows down a few insignificant revolutions or a couple of knots from a speed of 20 knots or more.

My proposition of a flexible or varying speed is intended to meet the requirements of various sizes and speeds; the very fast ships are generally long and of large size, and will require somewhat increased moderate speed for manœuvring, which I think will be met by this Rule. In submitting my proposition I shall not go into details. The subject is familiar enough, though difficult; but the difficulty must be met. The question is momentous, and the public will press it home. If this Conference cannot agree upon an answer, or should refuse to explain moderate speed, I am afraid that incalculable difficulties may arise, and heartrending disasters may occur under present conditions of ocean navigation carried on in vessels varying in size from 10,000 tons and more, to 100 tons and less.

It may be argued that no man worthy of the trust imposed on the officers of such ships would act so recklessly. I answer to such men my amendment is at least harmless. The trouble is there are many reckless and ignorant officers who mistake recklessness for courage and foolhardiness for good seamanship, and who mix up moderate speed with moderated speed; that is to say, a knot or two less per hour or a few revolutions less per minute. This mixing up of moderate speed with moderated speed is particularly pointed out and forcibly illustrated by an eminent Admiralty lawyer of this country. He states, and I quote this verbatim, "I had a case with two steamers" (the names are given me, but I omit them here), "in which both captains agreed that the fog was so dense that they could only see each other looming up at a distance of 300 feet. They both contended and brought witnesses to prove, that they went with moderate speed, that is about 16 knots, which was a reduction from their original speed of 1 knot in the one case and 1½ in the other." Of course the Court held them both liable, and it shows the idea of moderate speed among some sailors.

Formerly the chances were more even, but since the ocean racers (which we all admire as one of the greatest achievements of modern ingenuity) have appeared on the sea the chances are more uneven. The master of a 10,000-tonner at 20 knots speed can feel comparatively at ease in a fog as far as his own vessel and freight are concerned; but the masters of smaller and slower craft cannot if they know he is near by. This dissimilarity of risk of life and limb and property should be eliminated. The disadvantage which size involves cannot be obviated, but speed can be controlled; and it should be controlled and restricted during foggy weather to a limit that would make saving of life at least possible in case of collision. I have thought half speed would admit of this possibility; but I would vote for a still lower speed if that should be the sentiment of a majority of this Conference.

Mr. President, I shall not exhaust yours or my honourable colleagues' patience any longer, but allow me to conclude my remarks with quoting a few lines which bear strongly upon the subject. They are taken from the "New York Herald," in whose valuable columns among other interesting maritime topics the questions of reduced speed in foggy weather and steam-lanes, were both admirably treated and ardently advocated. I will, with your permission, quote a few lines taken from President Cheney's brilliant opening address before the Convention of the Board of Steam Navigation, convened about a month ago, in Pittsburgh.

In speaking of the craze for racing over the Atlantic to obtain the fastest record, perhaps one hour or so on a voyage of 3,000 miles, he says: "The craze will continue, I suppose, until some day the whole world will be appalled by an ocean disaster when two ocean greyhounds come together in a fog at a joint speed equalling perhaps 45 miles an hour or a mile in less than one and one-half minutes, and thousands of lives pay the penalty of such foolishness." And further, he remarks: "When to this condition of affairs is added the fact that the steam-whistle or fog-horn is of poor assistance, chaos seems to have come again, and that is the situation in a fog; for in certain conditions of the atmosphere even the steam-whistle cannot be heard to advantage. There are besides to be dreaded floating wrecks and icebergs, which neither carry lights nor answer signals. Under such circumstances during a fog, when often the bow of the ship cannot be seen from the stern nor a signal heard the same distance, running at full speed is madness."

This comes from an authority, and his earnest and able address on the safeguards of life at sea from which the above recitals are taken reaped its well-merited applause from sixty-four Delegates to that Convention from all parts of this country.

Captain Sampson (United States).—Mr. President, this discussion started upon a motion to consider the striking out of Article 13 from the Rules; that has been modified, as I assume, with the approval of the Chair, to a consideration of the whole subject. On that assumption I would like to

make a few remarks. While I, as do all of my colleagues, advocate the general principle which is laid down in this Rule, I am not entirely in accord with what has been said by some of the members of the Conference with regard to the necessity of fixing the limit of speed. I am heartily in accord with what has been said by the learned Delegate from Germany, that we can best consider the whole subject by taking the amendment which that Delegation has offered to the General Rule, in connection with the Rule itself, and for this reason: In the amendment which they have offered there is an important item which I think cannot be separated from the question of speed. When we come to investigate the chances of collision at sea we find that they depend upon several circumstances. First may be mentioned the probability of a ship meeting others in a fog, when running at different speeds. It may be stated as a general rule that the number of vessels encountered in passing through a given fog-bank will be quite independent of the speed.

Another condition is the power possessed by the two vessels which are in danger of a collision to avoid a collision. This depends upon the manœuvring power of the respective ships. Fixing our attention for a moment upon a single ship, experiments have shown that a vessel going beyond a given speed, what is usually called a high-power ship, a vessel capable of going 15 knots or more an hour—it has been found that such vessels can, by reversing their engines when going at full speed, stop in a shorter distance than they can turn in. In old-fashioned ships going 10 knots or 11 knots an hour, this was not the case. It was then easier for a vessel to avoid danger ahead by putting her helm hard over to starboard or port, as the case might be, because she would then advance a less distance on her original course, than by stopping and backing. So, if we fix our attention upon this point for a moment, it appears clear that a ship which is going at a high speed has the power of avoiding a danger ahead in a greater degree than a vessel which is going at a lower speed.

This involves a question which was brought up by the gallant Delegate from Great Britain in reciting an experiment which had recently been made in Great Britain. The question is this: If one of these very fast steamers, capable of running 18 or 20 knots an hour, runs into a fog, and then, in consequence of and in obedience to these Rules, she moderates her speed to the extent of running 10 or 12 knots an hour, she may thereby limit her power to avoid a collision. A steamer which moderates her speed from 15 or 20 to 10 or 12 knots an hour—assuming that the fog is of such a nature as to require such a reduction of speed—would accomplish that reduction of speed by reducing the steam-pressure, and would reduce the quantity of steam by banking a large portion of the fire. The vessel then receiving a warning as to the existence of danger would not have the power of avoiding it by stopping, which she would have if she had retained all her speed with a maximum steam-pressure.

A difficulty exists in such fast steamers in keeping up the steam-pressure and running at a reduced rate. It is not impossible to do it; but difficulties may arise which are due to the fact that if a steamer under such circumstances, with a full pressure of steam, running at a moderate speed, is required to stop or still further reduce her speed when a collision is imminent, she has to blow off the steam; this will continue for a considerable time, and, of course, drown all fog-signals. So that it becomes a question of what shall be done by these high-power steamers in running in a fog, to maintain their steam-pressure and, at the same time, their ability to stop.

Another condition upon which the chances of collision depends—and it is the vital one, and the one to which those who have spoken have referred—is the duration of the warning which the vessel receives of the existence of a danger or the presence of another vessel when running in a fog. If two vessels meet or two vessels are meeting with a chance of crossing each other's tracks, and they are emitting fog-signals at intervals of one or two minutes, according to the Rule which we may establish, the faster vessel has the least time to manœuvre under the circumstances when she just misses hearing the particular fog-signal. If we imagine two ships approaching the same danger, one at the rate of 20 knots and the other at the rate of 10 knots an hour, and they both hear the signal at the same instant, they have an equal chance of avoiding that danger; but if the faster ship misses the signal and continues on at her high speed until the sounding of the next warning signal, she has less time to manœuvre than the ship running at a slower speed; and in this lies the danger. Therefore, to make it safe under all circumstances, notwithstanding the advantages of high speed, both in stopping a ship and in turning her, this question of the duration of the warning makes it imperative to run at such a speed that the manœuvre required to avoid danger may be performed in the time which is given by the signal in question.

Mr. Goodrich (United States).—Mr. President, there is a consensus of opinion about this Conference Board, as there must be in the entire maritime world, as to the necessity of a protection such as is indicated by the present Article 13. I, therefore, do not discuss at all the importance of the Rule. The only difference which seems to exist here is whether the present Rule sufficiently, properly, and safely indicates to the sailor upon the deck of a vessel what that vessel shall do. The remarks which fell from the learned Delegate from Germany would have been entirely applicable to a condition of things which existed before the passage of any Rule on the subject; and that that is true is clearly shown by the conflicting opinions of the Courts which have been called upon to construe it. But to-day it seems to me that such a condition of things does not exist, and to-day the term, "moderate speed," has been so thoroughly and carefully discussed and its meaning so strictly defined that there no longer exists confusion upon the subject. That applies also to the present condition of things in regard to the speed, the increasing speed, of vessels, as well as it did at the time when this Rule was adopted, when the speed of vessels was very much less than it is at the present time.

There are certain Rules which require a distinct and positive meaning on their face; and these I have argued should be made so plain that "he who runs may read;" but there are other Rules which require a certain flexibility, that is, which may be adopted to meet the constantly changing circumstances under which the Rule is to be applied. This is illustrated by the difference between what is known as the common law and the statute law of the country. A statute law is made with cast-iron rigidity. It is positive, applied to circumstances or sets of circumstances, and to that law

everything must bend; but the very positive benefit of having a flexible common law is that it may be adapted to circumstances, which vary, however slightly, and yet in such a way as to render one set of cases entirely different from another set of cases.

Let us apply that doctrine to this Rule. Nobody could argue in a more finished manner than the learned Delegate from Germany and the gallant Delegate from Norway, as to the necessity of a Rule which requires the utmost caution on the part of the swift steamers in a fog. But, as the learned Delegate from Germany said, the law which applies to an unfrequented part of the ocean does not apply to a crowded fair-way; and that shows how limited is our capacity to draw a Rule which shall define absolutely all cases, and express the meaning which this Rule is designed to have, and to express the duty which is to be imposed upon vessels; because moderate speed in one case is immoderate speed in another. Moderate speed in a light fog may be immoderate speed in a dense fog. Moderate speed in an unfrequented part of the ocean may be immoderate speed in a crowded fair-way. So you will find it impossible to lay down a definite Rule as to what moderate speed means under all the different and differing circumstances in which vessels will find themselves placed.

Is there any difficulty in understanding the decisions of the Court as to what moderate speed means? Why, the Courts have defined it to mean that which is appropriate to the condition of things in which that vessel finds herself, namely, that on a dark night, in a dense fog, in a crowded fair-way, a vessel shall observe a speed which is proper for that condition of things. In a light fog, in a place where one vessel is not apt to meet more than an occasional vessel, moderate speed is that speed which a prudent sailor would use under those circumstances; and when the time comes that the vessel is likely to meet many other vessels, she must put her speed down to steerage-way.

The Courts go further than that, as the learned Delegate from Great Britain called to my attention the other night. The Courts say that they must absolutely stop, if necessary, and a speed of 1 mile an hour is an immoderate speed under certain circumstances. In other words, the particular circumstances must govern in every case the question as to whether the speed upon a vessel is moderate or immoderate. Every sailor knows that to-day. He knows that the safe rule for him under all circumstances where he is likely to meet a vessel is to go with just sufficient power to enable him to turn over his wheel and have steerage-way.

The Courts of the United States and the Courts of Great Britain have united in the rule that if 4 miles an hour is so great that the vessel is not able to avoid a vessel which she must avoid, then she must go at 2 miles an hour, and if that is too great she must go at less. If she can safely go at 6 miles an hour, she may go 6 miles; but in all cases she must be going at such a speed that when she sees her adversary she may avoid her. In that lies safety, because the prudent sailor, and we assume that the man who has command of lives and property is made prudent by that very fact of the responsibility which devolves upon him—the prudent sailor must have a little leeway for his judgment, so that he may fix for himself, with prudence, care, and good judgment what moderate speed is in a fog; and it is beyond the power of human ingenuity, in a Code like that which we propose to adopt, to fix any rate of speed which shall be "moderate speed," that is to say, that it shall be 10 miles, or 6 miles, or 5 miles an hour. Moderate speed, in other words, must depend upon the circumstances of the case, and those circumstances are constantly changing.

The learned Delegate from Germany has referred to something which I said in the early part of this Conference about the replies which I have received from the various steam-ship and sailing-ship masters, and referred to the curious fact that every man, according to the power and speed which his vessel has, states for himself what moderate speed means. I interpret that as an argument in favour not of the position which he assumes, but as a positive argument for the position which I assume, namely, that moderate speed means moderate speed not only for the condition of the weather and surrounding vessels, but it means moderate speed for the vessel which the master commands; because, as my friend the learned Delegate well pointed out, the vessel is better under command at a certain rate of speed, for certain reasons, than she would be at a different rate of speed. A vessel which goes 20 miles an hour is better under command for certain purposes going at full speed than she is going at a moderate speed with reduced pressure of steam. Likewise a vessel which goes 10 miles an hour is better under command at 10 miles than she would be if going at 6 miles an hour with reduced pressure of steam.

In other words, we come back to the old statement again that the different judgments of different masters applied to different vessels, predicated upon the premise of their speed, is a positive argument against fixing any maximum speed or any minimum speed in a Rule like this, or in attempting to make a Rule which will control all cases; to make a Rule is impossible, because, as has been so well said by the learned Delegate from Germany, the question of moderate speed is a relative term. It is a term which must depend upon the differing circumstances in which vessels meet each other. I notice that the learned Delegate from Germany has in his amendment used the words "moderate her speed," and if I were inclined to criticise the verbiage of his Article, I should find as much difficulty in interpreting the language of his amendment as I should in interpreting the language of the present Regulation, because he uses the words just as the Rule does, that the "vessel shall so far moderate her speed as is consistent with her own safety," &c.

Why, Mr. President, is it not perfectly evident that my friend is asking plain sailor-men to construe a Rule which is more difficult of construction than the Rule as it at present exists? At present the language of the Rule is that a vessel shall go at a moderate speed. The learned Delegate from Germany says that a "vessel shall so far moderate her speed as is consistent with her own safety under the circumstances of the case, and as is necessary to avoid the risk of collision." When the Conference come to consider the first preliminary Article of the proposed steering and sailing Rules they will find that there is as much difficulty in defining the words "risk of collision" as there is in defining what "moderate speed" in a fog shall be.

Now, Mr. President, in the flexibility of this Rule is its safety. Its flexibility permits a man to adapt his speed according to circumstances; and the duty which is put upon him by this Rule is that

he shall comply with it according to the circumstances under which he finds himself placed. I may say in closing, that the case cited by the learned Delegate from Norway is as strong an argument as could be adduced at this table in favour of maintaining this Rule as it is. You will remember that he said that two steam-ships were sailing in a fog, which both agreed was positively dense. There was a position of danger, and each was going at 16 miles an hour. I challenge the thought of every member of this Conference to say whether, instantly, before the next sentence was uttered, every man at this table did not say in his own mind that the vessels were both going at an immoderate speed, and both should be condemned. It illustrates that the sailor now knows what moderate speed means, not only upon the deck of a ship, but what it will mean when his action comes to be viewed and judged by the Courts in the discussion of collision cases.

As I said in opening, and as I now repeat in closing, the learned argument of the learned Delegate from Germany applied to a condition of things which existed before the passage of the original Regulation to which this is an amendment. It does no longer apply. It is better to let well enough alone. We had better leave the sentence which has a construction which every sailor knows, than to change this Rule. "We had better bear the ills we have, than fly to others that we know not of."

Dr. Sieveking (Germany).—Mr. President, I only beg to express my most sincere thanks for the very able support and the very strong support which the learned Delegate from the United States has given to the argument which I have undertaken to present. I knew that if he chose to be so, he could be a very dangerous adversary, and I knew that if he chose to be so he could be a very able supporter. I am very grateful to him, for although some of his words do not fully show that it was the intention to do so, still, on the whole, he has very strongly supported the argument on our amendment. I am only quoting his own words when I say, "What is the meaning of the Rule 'moderate speed?' Moderate speed is a relative term. The meaning has been thoroughly defined." By whom? By the Courts of Great Britain and the United States, and I might say by other Courts also. How has it been defined? This is the definition: That what is appropriate to the circumstances of one case is not appropriate to the circumstances of another, and that every case must be governed by its own circumstances. Is not that, in other words, the same thing as I have stated, that the behaviour of the master as to speed in a thick fog must be entirely governed by the circumstances, and by the rule that he is to use the utmost precaution?

The only thing in which I differ from the learned Delegate of the United States is this: He says that every sailor knows the meaning of the Rule to be what the Courts have stated it to be. I say that *not* every sailor knows it, and not every lawyer knows it, and not even every Judge knows it, because there are many Judges and many lawyers, and almost all sailors, who are asking us now, at the present moment, when this subject is before the Conference, what is moderate speed? That is what they all want to know. That is strong proof that the answer is not given in a sufficient way by the decisions of the Court.

What I wish to say is this: The Courts have decided in this way, and we tell you sailors that this is the law, and this is what the Courts have found to be the proper construction of this Rule. That is just the thing which Mr. Goodrich expresses in these words: "It cannot be defined in an absolute way, but every case must be governed by its own circumstances." I only want to add this one word —that sailors do not understand it in the same way as the Courts do. I think this is in the strongest way proved by the answers which have been given by the sailors, who were asked what they considered was moderate speed; and they have applied the test to their maximum speed: They say we are complying with the law if we moderate on the maximum speed. But that is a mistake; they are violating the law by doing so, and they must be told that such is the case. I think the wording could be very easily corrected; but upon principle Mr. Goodrich and I are fully agreed.

Mr. Hall (Great Britain).—Mr. President, I think there is one very important outcome from the debate which has taken place this morning, and that is that we are all agreed in principle that vessels being navigated in a fog shall go at a moderate rate of speed. I think we are all agreed upon the principle that vessels which are navigating in a fog must be navigated cautiously, and at a moderate rate of speed, under the circumstances. But I wish to say one or two words with regard to this Rule. The learned Delegate from Germany has said that these Rules must be framed in a manner which is intelligible to every common sailor. I do not want to cavil with him about words. I quite agree that it is necessary that seamen should understand these Rules; but common sailors are not responsible for the speed at which a vessel is driven in a fog. It is the duty of the officers to look after that; and it is the duty, not only of the officer in charge, but of the master of that vessel. It is his duty to do it, and I should be very much surprised to be told that there was any master who did not know perfectly well that he was bound to navigate his vessel cautiously in a fog.

The learned Delegate from Germany has said that the masters and officers of Atlantic steamers had been asked what they thought a moderate rate of speed was and that they had given replies Well, sometimes the wish is father to the thought; and very likely that is what they would like to have defined as a moderate speed. I will undertake to say that if any one of those men who is fit to take charge of a steamer on the Atlantic had been asked what his duty in a fog was, he would have given a very different answer. He would have said, "My duty is to go at a moderate speed; to go slowly." And he might have added, "but I do not do it." But if they do not we can make them responsible. If they run down other vessels, we can make them responsible for the damage. But I do not think there is any difficulty in making seamen understand just what moderate speed means, moderate under the circumstances, and when we talk of common sailors I am sure that the Delegates will not forget that in England, certainly, the majority of the officers of our mercantile marine go through an examination before they are given their certificate. They are all asked what their duty is in a fog, and they know perfectly well what it is. I can say that in my own experience, and I have now been at it for over twenty years, every officer who comes into an Admiralty Court knows perfectly well that his duty is to go as cautiously as possible; and I am sorry to say they generally say they were doing it but we do not always believe them.

Now, let me say one or two words with regard to the difficulty of prescribing a Rule. I think that all of us agree, if it could be done, that we should make this Rule more precise; that is, if it is possible to do it without having a Rule through which, to use an expression which is made use of in England, you can drive a coach and horses. The difficulty is to get a Rule to which you will not find an exception, and I think I shall be able to show the Conference that even my learned friend's amendment is open to that objection. The real difficulty is to precise the Rule, and no one of all the able speeches we have heard here this morning has pointed that out more ably than that of the gallant Delegate from France in the very thoughtful observations which he made to us almost at the commencement of this debate. He has pointed out that moderate speed is a thing which we desire to get; but that moderate speed is a different thing when you are going amongst fishing-vessels; that moderate speed is a different thing for different kinds of vessels; that moderate speed may depend upon the trim in which the vessel is, because the vessel may be light in water-ballast, and would be more difficult to manage than if she were laden with an ordinary cargo. Accordingly, we are met with that initial difficulty. We have got to consider every class of vessel and vessels under different circumstances, when they are laden in different ways, &c. We have to consider whether they are in the broad ocean or whether they are in narrow waters; whether they are in heavy tide-ways or in strong currents. All these matters have to be considered.

I venture to say that it is not within the wit of man to draw a Rule to provide for all these cases. The gallant Delegate from France pointed out that, if we have such a Rule, we must, first of all, divide it up into three classes. I would like to see any draftsman do that. First of all it would be necessary to have Rules for vessels in the broad ocean, then a second class for vessels in narrow channels, then separate Rules for vessels going over fishing-grounds. Can we do that? I venture to suggest that you must not only do that, but you must define what is a thick fog; then you must have another definition for a dense fog, and another for a light fog. Then what are you to do? The matter is so indescribably difficult to define in all its varying phases, not only as to the density of the atmosphere, but with regard to the vessels in the different parts of the sea, that, as I say, we tried as hard as we could try to improve upon this Rule; but we have found that every attempt made has been open to the same objection. For that reason I hope we shall not agree to alter this Rule in principle until we see the way it is to be altered. Let us deal with every proposal that can be offered; but we must see whether it is practicable to carry it into operation before we decide to alter the Rule.

A great deal has been said about the decisions of the Courts. I do not want to treat this as a lawyer's question at all. I want to look at it from a broad point of view. But certainly the effect of the decisions of the Courts has been, that they have impressed upon the minds of sailors and of their employers what moderate speed in a fog means; and I should be very much surprised if there were many captains who do not receive instructions, and who do not know that they have to obey this Rule, and who do not know how to obey the Rule.

The learned Delegate from Germany read from what he said was a Report of a Committee of the Society of Arts If he had looked at the Report of the Committee on Sound-Signals, he would have found this very Report dealt with in the Appendix (B). He will find in Appendix (B), on p. 5, what this so-called Report is. We know this Report very well in England. We had an opportunity of reading these papers four or five years ago, and we know perfectly well that the Society of Arts, which, no doubt, is a society of considerable distinction, and produces the most interesting discussions, has nothing whatever in common with maritime matters. The consequence was that the Committee which was appointed had only two sailors on the whole Committee. It had most experienced scientists; it had the most experienced engineers; it had Admiral Ryder, as Chairman, and one other seaman, on the Committee. The other members were most distinguished gentlemen in their various vocations in life. But the most surprising thing of all is, that my learned friend read this as a Report of the Committee. It was simply a draft of a Report drawn up, which was never submitted to the Committee, and never was voted upon. I am not aware that this draft of a Report was ever seen by any one of the Committee, excepting the Chairman, who drew it up. If you look at it carefully you will find that, as a Report, it is really not worth the paper upon which it is written.

Now, the Delegate from Germany says, and I quite agree with him, that as moderate speed in a fog depends upon the circumstances, it would be proper to say, "As the circumstances of the case require." I have no objection to these words, except that, as every Rule must be construed as the circumstances of the case require, it is unnecessary to put these words; but there is no objection to them beyond that. I am dealing now with his proposed amendment. I venture to say this—with very great deference to his judgment—that if we should adopt this amendment of his, the last half of it, it would be far easier for a master, who was going fast in a fog, to wriggle out, than it would under the present Rule, and I will show the Conference why. "In a fog, mist, or falling snow, every ship—whether a sailing-vessel or a steam-ship—shall, besides taking all other precautious required by these Rules, or by the ordinary practice of seamen, so far moderate her speed as is consistent with her own safety, and, under the circumstances of the case, necessary to prevent risk of collision." The words, "ordinary practice of seamen," are purely superfluous. That is provided for in the general Rules now, that no man is to neglect the ordinary precautions of seamen.

Then comes this: "So far moderate her speed as is consistent with her own safety, and under the circumstances of the case, necessary to prevent risk of collision." What would a man say? He would say: "It was consistent with my own safety; it was safer for me to go fast than to go slow, and therefore I complied with that Rule." I venture to say that would be an easier argument for him to make than any argument which he could make against the present Rule. I only cite that as showing the abundant difficulties of framing an amendment, and I think I may say, without any flattery to my learned friend, that if he is unable to draw up a definition to embrace this Rule, I would like to know who is at this Board. I do not say, of course, that the argument I have just mentioned would be adopted by the Courts. What I say is, that it would be an excuse for a man to put forth who was

caught going fast in a fog. He would say directly, "It was consistent with my safety to go fast, so I did it." It would be an inducement, I venture to think, to the advocates of a high rate of speed in a fog, and we know that there are advocates, and that the gentlemen who are the advocates of it are the gentlemen who want to make quick runs.

I think we shall find, as I said before, that any amendment which is proposed, when it is thought out carefully, will be found to be impracticable, and we shall go back to the present Rule, as being better than anything we can propose. I thoroughly agree with the epigrammatical remark of the learned Delegate from the United States, that it is the very flexibility of this Rule which is its strength. It is able thus to deal with every case. Whereas, if we lay down what is to be done in particular cases, then some case might arise which is not provided for, and in that case the officer in charge of the vessel, who is going too fast, will say: "There is nothing in the Rule about this particular case, therefore I was entitled to go as fast as I chose." You all know the old maxim, that if you specify cases, then the omitted case is the one that troubles you. Unless you can provide a Rule which will deal with every condition of a vessel, under every condition and circumstance, in every condition of weather, then I venture to say that exceptions will only bother the officers in charge, instead of assisting them. I quite agree with my learned friend the Delegate from Germany, that a man ought to be careful to the utmost of his power; but that comes under the general rule that a man is bound to be careful to the utmost of his power in navigating his vessel. I was very glad to hear the very thoughtful remark of the gallant Delegate from the United States with regard to steam-vessels.

The President.—Will the Delegate from Great Britain suspend his remarks? The hour for recess has arrived.

Mr. Hall (Great Britain).—Mr. President, perhaps it would relieve the Conference if I were to say that I had really arrived at the end of what I desired to say.

The President.—The Chair desires to announce the additional members of Committees which were appointed in accordance with the motion of yesterday. The additional members of Committees are as follows:—

Life-Saving Committee—
- Germany .. .. Mr. August Feigel.
- Great Britain .. .. Captain Henry Wyatt.

Committee on Load Line—
- Brazil .. .. Captain Joaquin Maurity.
- China .. .. Lieutenant Chia Ni Hsi.

Committee on Divisions II, IV, and VI of the Programme—
- China .. .. Commander Chen Ngen Tao.
- Great Britain .. .. Mr. Thomas Gray.

Committee on Divisions VII and VIII of the Programme—
- Great Britain .. .. Admiral Nares.
- Hawaii .. .. Mr. Carter.

Committee on Divisions IX, X, XI, and XII of the Programme—
- Austria-Hungary .. .. Lieutenant Sanchez de la Cerda.
- Great Britain .. .. Admiral Molyneux.

Committee on General Division XIII of the Programme—
- Great Britain .. .. Mr. Hall.
- Guatemala .. .. Mr. Fernando Cruz.

Committee on Collocation—
- Austria-Hungary .. .. Admiral de Spaun.
- Russia .. .. Admiral Kaznakoff.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

The President.—The Delegate from Great Britain still has the floor.

Mr. Hall (Great Britain).—Mr. President, I had concluded all the observations I had to make. I will not make any Resolution until every member of the Conference has an opportunity to make any remarks he may desire. I think we are clearing the way by this discussion for arriving at a vote upon the question.

The President.—The question before the Conference is extra amendment No 9, which is a motion to strike out Article 13 from the Rules of the Road. That is now under discussion, together with the suggestion made by Dr. Sieveking that the whole subject be discussed under that amendment.

Mr. Verney (Siam).—Mr. President, I only wish to take up the time of the Conference a very few moments in discussing this question, which every one admits has been so fully and eloquently argued on both sides this morning. I wish to direct the attention of the Conference to one fact upon which I believe we are all of us unanimous, and that is, that this Rule has completely broken down. Perhaps some of the members might be inclined to dispute that; but the best test of the success of a Rule is whether it is generally obeyed. Has this Rule been obeyed? I do not think a single member of this Conference has for a moment asserted that this Rule has been properly and fairly obeyed. We have all agreed that we know what moderate speed means perfectly well. I think that

every gentleman who spoke, certainly every seaman who spoke this morning, has practically admitted that the Rule as it stands has been constantly, continually, and persistently disobeyed.

Now, I would ask this Conference whether that kind of conservatism which retains a Rule which is an acknowledged failure, is a conservatism of a good kind. I think that we all agree that where the Rules have succeeded it is most important not to alter them. The very wording of a Rule becomes part of the proverbial philosophy of a sailor. I think it is extremely important that even in the wording of these Rules we should not go in for any change whatever unless the Rule can be shown to have failed, and then the alteration of the Rule becomes imperative upon us. Now, if I understand the argument of the learned Delegate from Germany, and I am sure it was clear enough for any one to understand it, I think he mentions that he has no intention whatever of proposing to this Conference to take away the responsibility of a sailor in moderating or reducing his speed within the limits of safety. But he informs this Conference, and no one has a better right to inform this Conference than the learned Delegate from Germany, that the Rule, the words of which he quoted, have been so differently construed in the different Courts, that he confessed himself unable to put such a definite construction upon them as the sailor on board of the ship ought, without hesitation, to put upon every Rule which this Conference enacts. I think that is what the learned Delegate from Germany meant, so far as I can gather his meaning from what he said to-day.

The Conference will probably hesitate before they enact again, in the very same words, a Rule which has been the subject of such conflicting decisions in the Law Courts of many countries, and of such different practice on board the ships of various nationalities. If you enact the same words over again, I will ask the members of this Conference whether the practice which has arisen under this Rule will not be also endorsed, and, so to speak, affirmed by the members of this Conference. Will you enact a Rule in the same words, and say to the sailor, "Go on doing what you have been doing up to this time?" Will you not be saying to the Law Courts that no alteration was practicable in the minds of practical men and experts, and that, therefore, we cannot advise any change in the practice of the law or its construction?

I would ask the honourable members of this Conference whether I am not right in laying that before them as the result out of doors, as the result through the world, of re-enacting a Rule which has notoriously failed to satisfy the purposes and carry out the intentions for which it was enacted. I may also point out that probably there is no other Rule of which this can be said. I do not believe that you can find one of these Rules of the Road of which it cannot be said that it has as a general rule been fairly well obeyed. If you take any other Rule and read it through although it may not be quite explicit and although there may be some reason for altering and modifying one or another of the Rules, at all events seamen have obeyed them as a general practice. This is the only one which you could pick out from the Rules; and I think that what has happened here this morning clearly shows that every member of this Conference knows that this Rule has been disobeyed.

One thing has not been mentioned here this morning. Why is it that this Rule is so difficult of obedience? I venture to think that it is because of the enormous pressure brought to bear by the great mass of the travelling public on the ship-owners directly, and indirectly on the seamen, because the public will have speed and nothing else. You take a passenger on board one of these great steamers, and he will advise you to do anything to get on board of the ship which arrives in New York two hours before another. The Delegate from Norway has expressed it this morning in very expressive language, "Heaven, hell, or New York in seven days." That, he said, was the literal truth. I ask the Conference to pause before giving their approbation or consent to the wording of a Rule under which such a practice is actually carried out. I have no right to take up the time of this Conference with any further remarks, because I confess that the Rule has been treated in a way, on both sides, which must give perfect satisfaction in regard to the thought bestowed upon it, and I do not wish to take up further time in comments upon what has been said by others more able to express themselves than I am.

Dr. Sieveking (Germany).—Mr. President, I am afraid I must apologize to the Conference for addressing a few more words to them on this subject. I have already spoken twice; but I shall not detain the Conference very long. I may be excused, I hope, by the very great importance of this subject. I only want to say, first of all and emphatically, that it is the intention of the amendment of the German Delegation to impress upon the seaman as much as possible the heavy responsibility which is laid upon him by the Rule, and to give the Rule a wording which makes it quite clear that the Conference does entirely and most seriously disapprove of what is now the general practice of running in a fog at a speed which is a maximum speed. I want to say this, to prevent any misunderstanding upon the subject. I am of the opinion that the Rule, if properly interpreted and properly explained, is meant in the sense which we are advocating. That was the first remark I desired to make.

The second remark I wish to make is about the objections which have been made by the learned Delegate from Great Britain to the wording of the amendment. Perhaps it is owing to the insufficiency of my knowledge of the English language that the amendment has not been expressed in terms which are quite adequate for our purpose. Of course it could not for a moment be our intention to favour an interpretation or an argument which would be brought forward by captains to this effect: "The safety of my vessel required the utmost speed. You say, 'so far as is consistent with the safety of the vessel'; and, therefore, I was right in going at the utmost speed." Perhaps it would be clearer to the Conference if I changed the wording a little, so as to read, "so far moderate the speed as, under the circumstances of the case, is necessary to prevent risk of collision," and then add the words "in some way or other, provided this be consistent with her own safety."

Of course, what I am thinking of is this: If you put the Rule simply in this way, and say, "shall so far moderate her speed as, under certain circumstances of the case, is necessary to prevent risk of collision," that clearly implies a possibility, if the circumstances of the case require it, of stopping the vessel altogether in the water, because moderating her speed so far as the necessity of the case requires

also implies the stopping altogether if the circumstances of the case require it. It must be kept in mind that there may be circumstances when the safety of the vessel does not allow of stopping her in the water altogether; for example, when a strong current is running and the stopping would take the vessel to the danger point; or, take a case with a high sea running, where it would be impossible for a sailing-vessel to be brought up, and where she must have some speed for her own safety. That is the meaning of these words, and that is the limit which must be kept and which must be put in the Rule, which otherwise would go so far as to compel a vessel to stop in the water or be brought to rest entirely, if the circumstances of the case require it, to prevent the risk of collision. That is merely a matter of wording, and the wording, of course, would be left to a Committee in the future.

If I am allowed to give an opinion as to how the question could be brought to a vote, I think it would be in this way: It could be asked, is the Rule to remain as it is now, every vessel to go in a fog at a moderate speed, or are the words "moderate speed" to be explained in the way which our amendment intends them to be explained, either by adding the words "that is to say," or by substituting words instead of the words "go at a moderate speed." Now, if I may be allowed to resume the discussion of this morning, I think that we are all agreed on the principle. I have not heard a single different opinion. We are all agreed on the principle that the speed is to be reduced so far as the circumstances require and permit, in order to prevent risk of collision, and the question is whether it would be advisable to say that in expressed words or not.

It has been said against this explanation that the Rule as it stands is a general Rule, and a flexible one. I do not think that is the case. The Rule as it stands is a special Rule, and not a flexible one. It would be more flexible and more elastic, and more adapted to the real situation of the case if we said that they should go with every caution, according to circumstances, than if we put down an absolute Rule that they shall go "at moderate speed." Therefore, I think that there is no real difference in principle, and it could not be so very difficult to find an adequate wording for the amendment.

Mr. Hall (Great Britain).—Mr. President, I would like to preface the very few observations I have to make with a similar remark to that which has just fallen from the learned Delegate from Germany, and that is to express my regrets that it is necessary for me to ask the indulgence of the Conference to address them once more. I will not cavil about the expression I let fall some little time ago; but I would tell the Delegate from Germany that I like this Rule because I cannot find a better one. I should not have risen if it had not been for the argument which has been adduced by the learned Delegate from Siam. My learned friend who has just addressed us told us that we are all agreed upon the principle of the Rule; but I confess that I have heard the argument of the Delegate from Siam with great surprise, because it points to being in favour of striking out the Rule altogether, for the reason that it has been, as he says, a conspicuous failure.

Mr. Verney (Siam).—Mr. President, I intended to say that I thought we were all agreed upon the principle of the Rule, but the wording of it has been a conspicuous failure, because sailors have generally disobeyed it. On the principle I think we are all agreed.

Mr. Hall (Great Britain).—Mr. President, I confess that I have understood the drift of the argument to be this: That as sailors have systematically disobeyed this Rule, why have the Rule. I will point out this: Sailors may disobey if they choose, but we want to protect the people who suffer by such disobedience. You will never be able to prevent men from going fast in a fog. You may have a hundred Rules and you will not prevent negligent sailors from going fast in a fog; but we will protect the lives who suffer and the property which suffers, and so long as we have a stringent Rule, such as I claim this is, we will make the men who disobey it pay for their disobedience.

Mr. Verney (Siam).—Mr. President, may I just say one word? As I understand it, the wording of the existing Rule has not succeeded in protecting either life or property. Therefore, alter the Rule so as to make it more effectual.

Mr. Verbrugghe (Belgium).—Mr. President, it was not my intention at first to take part in the debate to which we have listened this morning, and which is of the highest interest, but I desire to make a few remarks.

Certainly, fog is one of the greatest dangers of the sea, and no doubt each one of us on coming here has asked himself if he could succeed in improving the present condition in view of the customs now in force. But our convictions are already fixed; we cannot determine the speed in a fog, for the simple reason that any speed which we might stipulate might not be appropriate to the circumstances, and might be dangerous. We see that as soon as we try to enter into details we must provide for every contingency, the various degrees of the intensity of the fog, and the various and numerous circumstances in which a vessel may be found. Instead of one Rule we would need hundreds. And, therefore, it seems to be wiser, under such circumstances, to rely upon the intelligence of the officers at sea, who should know how to act. Much opposition has been raised to the Rule now in force, but it is certainly strange that during the twenty-five years that the Rule has been in operation no maritime nation has been found that has taken the first step to propose modifications. Is it the Article which is to be blamed or the manner in which it has been interpreted? The answer is not doubtful. I have heard the honourable Delegate from Siam state that the Rule should be suppressed because it is not observed; that is an extreme measure which I would not advocate in this Conference.

I have also heard the gallant Delegate from Norway state that the captains of large steamers swear by "Heaven, hell, or New York in seven days," but I do not see the point of the argument. If the captain navigates in a fog in a dangerous manner he does not invalidate the Rule; on the contrary, he affirms once more the wisdom of its provisions. Which of us would not characterize as criminal the passage, for example, of the Banks of Newfoundland, among fishing-vessels, by the great transatlantic steamers at a maximum of speed!

But if the argument on this subject of the honourable speaker who preceded me has any value, we should blot out our progress if we considered high speed a danger. We would then have made all those sacrifices in vain which have been imposed upon us in order to obtain the perfection arrived at

in those large and beautiful swift steamers. By the same order of ideas we should no longer expose our lives in express trains, they being more dangerous than accommodation trains.

Let us not exaggerate nor attribute to the Rule what cannot be reasonably charged against it. Let us have confidence in intelligent officers, for you can never frame a Rule which can make up for incompetence or carelessness.

But is Article 13 susceptible of improvement? The honourable Dr. Sieveking shows us the solution of it, and I support his amendment—extra amendment 22—as he has modified it, and which I read as follows: "Article 13. In a fog, mist, or falling snow every vessel, whether a sailing-vessel or a steam-vessel, shall so far moderate her speed as under the circumstances is necessary to prevent risk of collision." Thus amended, Article 13 would still more and still better define the important Rule of navigating in a fog.

We have frequently in our discussions here quoted the decisions of Courts, but I would observe that there is always great difficulty for a sailor to retrace exactly the various circumstances under which accidents have occurred; and a Judge must with difficulty form an opinion amidst contradictory evidence. Thus, according to the present Rule, many vessels have been condemned on the simple ground of their speed, in the absence of any definition thereof. In that respect, too, the amendment offers an improvement. I, therefore, support that part of the amendment of the honourable Dr. Sieveking, and I think that it is absolutely illusory and dangerous to go farther by saying, "You shall thereupon do such and such a thing." It would seem to me wiser to rely upon the experience and intelligence of the commanding officer. I also agree with the honourable Delegates who have admitted that it is quite impossible to be more explicit in the Rule.

Captain Richard (France).—Mr. President, I have on a former occasion submitted to the Conference some observations in regard to the speed which, in my judgment, might be adopted in certain circumstances which Article 13 has in view. I regret that I cannot share the opinion of the honourable Mr. Verbrugghe, in so far as concerns the determination of the speed in certain definite cases. If I admit that on the high seas we must be satisfied with "moderate speed," as it is defined in Article 13, and with the elasticity which that definition carries with it, I consider that in other cases this speed should be still more specified. I have heard here Jack Tar spoken of so often in warm, sympathetic terms that I can have not the slightest doubt as to the general desire to do everything to help him. Here is a splendid chance; I hasten to call your attention to it. Describe to him more definitely what he should understand by "moderate speed" in the various circumstances in which he may find himself. Well, so far from doing that—since you do not dare to decide, and since you do not wish to do so—you prudently avoid it by abandoning to his judgment the difficulty which you were unable to solve. I know very well, as it has been stated, that most of the nations here represented make candidates for master mariners' and coasting masters' certificates undergo examinations. We are thereby assured, so far as such examinations will allow, that these candidates possess sufficient knowledge. But is it quite certain that the obtaining of these certificates is sufficient to guarantee that the holders thereof are always able to cope with the difficulties to which you expose them? Is it certain that the majority of them have any idea of the subtlety of your Rules, and that all are able to appreciate the circumstances which you will not define? However, you put everything on their backs. You say to them, "Go, get out of it as well as you can;" and if chance is against him, if a collision takes place, you can thereupon see him accused of negligence, perhaps even of homicide through negligence, and then you will declare him criminal when he has only been unfortunate.

Your decision reminds me of a certain physician who, after having given up his patient, bid him farewell, saying gaily, "Take good care of yourself."

Why not give to captains a clearer and more definite language? Let us determine the maximum speed, which should not be exceeded in narrow waters, on fishing-grounds, and on frequented coasts. Let captains know how far their audacity may go in fog or snow. Let it not be said that by acting thus captains are relieved from responsibility. Their task is lightened but not their responsibility. When two vessels collide, whatever may be the weather, by day or night, in rain, snow, or fog, their captains are always and absolutely responsible, and your decision could not bring any change in that state of affairs.

In all countries where these questions of fog and snow have been a matter of study, what have been the instructions given to the military navies? I think that in England, under those circumstances. the speed is limited to 4 or 5 knots. In our Navy we must not exceed 6 knots. This, however, is intended for officers knowing their business well, better than the majority of captains scattered over the globe, having vessels which are generally well manœuvred, upon which a degree of vigilance is exercised which you could not dream of as existing on a merchant-vessel. In spite of that you limit yourself to saying to the commander of a merchant-vessel, "When you are in a fog go at a moderate speed," leaving to him an appreciation of the circumstances of the weather and the determination of the speed. He would a thousand times rather be told, "You shall not exceed a maximum speed of 4, 5, or 6 knots in specified weather and in certain waters." I repeat that in Article 13 it was attempted to introduce a double precaution. In the first place, to avoid a collision, consisting in not having a higher rate of speed than will enable you to see the imminence of the danger and to avoid it. Then comes the consideration that the speed must be so much reduced that if a collision should take place the results will be, as far as possible, reduced to a minimum. Alongside of the measures taken to avoid collisions we find those to render them less formidable. Are these precautions, as carried into practice, sufficiently efficacious?

I, therefore, think that it would be wise, while adopting the text of Article 13, to refer to a foot-note after the expression "moderate speed," and to clearly specify in it, in a manner that no sailor would be ignorant of it, that what is meant by "moderate speed" in narrow waters, on frequented coasts, and on fishing-grounds, is a speed not exceeding 5 or 6 knots. Then let a collision take place and we will be able to see whether this Rule has been complied with, and whether the vigilance required by the circumstances has been exercised. Otherwise most of the vessels will go at a higher

speed than that above designated; and I confess that I have doubts as to the prudence with which certain captains will exercise their judgment. It is true that I have heard it stated that if a collision takes place they will have to pay for their error or their negligence! Certainly to pay is something, but is it sufficient, and can money be a satisfactory compensation for the loss of life which may result from such collision?

Mr. Verbrugghe (Belgium).—Mr. President, I regret that I am unable to share the opinion of the gallant Delegate from France, which opinion is certainly worthy of most careful consideration. I do not deny that there would be an advantage if we could enter upon the path which he extols, but I repeat that it seems to me dangerous to this extent, that it is impossible to define all the details, and that we would never be able to make sufficiently precise dispositions in such matters, any more than that such dispositions could take the place of defective judgments on the part of those who must apply them. For is it not to be feared that, by fixing a maximum speed, the same masters of coasting-vessels to whom the gallant Captain Richard alluded, would cause the vessels to go at the rate of speed which is allowed simply because the Rule permits them to do so, when such speed would not be the speed imposed by the circumstances?

On the other hand, it would be necessary to determine everywhere the regions classified as narrow waters. I would like to know what would become of all the postal services if the speed is formally determined in such waters, when the circumstances of fog are not defined. I think we may admit that this class of vessels is commanded by officers who are sufficiently intelligent and expert to enable us to rely upon their judgment in regard to the observation of the Rule relating to navigation in a fog.

To resume: The more I am imbued with this interesting discussion, the more I am strengthened in the conviction that it would be better to let the Rule stand as it is—which our discussions have sufficiently commented on—than to substitute therefor Regulations which, after all, would not better prescribe the conduct to be observed.

Captain Richard (France).—Mr. President, I ask permission to say a few words in regard to certain ideas which have been attributed to me by the honourable Mr. Verbrugghe.

When I said that war-vessels had generally a maximum speed prescribed for a fog, I never meant to say that it was admitted that merchant-vessels could, with impunity, go at a speed which was regulated solely by the whims of the captain. In France, as elsewhere, when there is fog or snow, the speed of merchant-vessels is defined by Article 13; and I hope that you will believe me when I state, that our Courts as well as our Boards of Admiralty keep this in view. I nowhere see anything which authorizes merchant-vessels to have a greater speed than war-vessels in the conditions of weather mentioned in Article 13. All that I wanted to say was that, inasmuch as it has been possible to restrict war-vessels to a maximum speed, without any difficulties having resulted therefrom, it may be the same with merchant-vessels in parts where it may be necessary. I have always made it a point to speak of vessels in general, without entering upon any details. Why should it be said that, because a contract has been entered into between a Government and a steam-ship Company for the transportation of mail at rates of speed which are now recognized, it is an authorization to be exempt from the established Rules? It cannot be admitted that, in fog and similar conditions of weather, the principal French or foreign navigation Companies should be exempt from the common Rules. You will moreover observe that my proposition in no way hampers the general speed of vessels. It only indicates the maximum speed in certain waters. In fact, I give the fullest latitude to captains on the high seas to judge on their responsibility, and according to their experience and judgment, but I take away from them the right to determine the speed which they are to adopt in regions where danger is imminent; but I think that we should not hesitate to return to them the right, within proper limits, to judge for themselves when danger is evident.

The contracts entered into with mail-carrying Companies cannot be quoted as cause for infraction of the Rules; and it seems to me possible to harmonize the Rules with the requirements of the postal service. Moreover, those infractions occur, but they are not met with in France alone. To judge by the duration of sea voyages, vessels which leave Liverpool and Hamburg to cross the Atlantic must also be accused thereof. All navigate, I think, in the same manner, and I do not see anything in these recommendations which can raise an objection against my proposition.

Admiral Molyneux (Great Britain).—Mr. President, there is a recommendation which fixes at a very low rate the speed of our merchant-ships, and to which they very often adhere. The captains of our merchant-ships, like the captains of very many other ships, have the power constantly to exercise their own judgment in the matter of speed, only, like all other captains, they would have to justify their actions in case a question arose in regard to the matter. The war-ships, as a rule, with which speed is no particular object, go at a slow rate. The Admiral advises them to use perhaps a lower rate of speed than would be developed in the mercantile marine. There are one or two other points to which I would like to refer. Although the lawyers disagree as to the meaning of the Rule, I think I may say with perfect confidence that the sailors thoroughly understand it. I think they are perfectly well aware that if they go at a high rate of speed in a fog they will be liable to the consequences, if they come to grief. I should like to ask the learned Delegate from Siam to put his finger on any Law in any country which the landsmen obey so implicitly. I do not think that the sailors are the only people who disobey the Laws. I do not know of any Law which the landsmen do not constantly disobey and systematically disobey, and they will continue to do so until the end of the chapter.

Dr. Sieveking (Germany).—Mr. President, I would like to point out only one serious danger, which I consider to be a very serious one, if we should follow the proposal which has been indicated by the honourable Delegate from France. His proposal is that, in a note to the Rule, which is to be left as it is standing at present, there should be added: "In crowded waters the rate of speed is not to exceed say 6 knots." As soon as we say this, the consequence will be an interpretation of the words "moderate speed." It will be said at once, whether it is correct or not is another question, but it

will certainly be said, that the Rules themselves say "In crowded waters the speed is not to exceed 5 or 6 knots;" then the Rules mean to say that, in crowded waters, 5 or 6 knots an hour is considered a moderate speed. I think that in crowded water that will be a very dangerous Rule to establish.

But there is one very serious consequence arising from that course, to vessels upon the seas or upon the ocean. When they consider that, in crowded waters, 5 or 6 knots an hour means moderate speed, it would certainly be quite right for them to say, that a rate exceeding 5 or 6 knots would be considered to be moderate speed in the open sea. That would be an argument which could not be refuted. And the consequence would be that circumstances might arise which would be as dangerous and as serious as they could be for a vessel in the open sea proceeding at the rate of, say, 8 knots an hour. Then a collision would occur, and the master would at once say: The Rules allow you to go at 5 or 6 knots in the crowded waters, and on the open sea I think you cannot blame me for going 1 or 2 knots more than that. Then would come the interpretation of the Rule, which is just the reverse of what the best Courts in the world have, from long experience, said to be the correct interpretation of that Rule. I will quote a few words of the gentleman, who was Privy Councillor, and whom everybody will admit to be one of the highest authorities we have in this matter. He says: "This may be safely laid down as a rule on all occasions—fog or clear, light or dark—that no steamer has the right to navigate at such a speed that it is impossible for her to prevent damage, taking all precautions, at the moment she sees danger to be possible; and if she cannot do that without going less than 5 knots an hour, then she is bound to go less than 5 knots an hour."

Mr. Carter (Hawaii).—I only want to bring to the attention of the Conference one or two experiences of my own. One of them occurred a few weeks ago on entering the port of San Francisco, when we heard the fog-signal, and there was a difference of opinion upon the bridge as to what direction the signal came from. With a sounding line of 100 fathoms we could get no bottom. We knew that we were out of danger; we knew that we were not in the track of many ships, and that the risk of collision was small. The only safe thing and the only practical thing for the captain to do was to proceed at a slow speed towards where he thought the siren or shore was, until he could locate the sound and ascertain that it was a whistle or was the shore siren. Now, under some of the amendments as proposed, he would have been obliged to stop his vessel. On another occasion, in entering the same port, we were unfortunately shipwrecked and the vessel cast away. The Court of Inquiry found that the captain laid his course correctly, but that he went at so slow a speed that the tides and drifts carried him off his course and caused the loss of his vessel. It will be said, of course, that a vessel should anchor under these circumstances; but in this case, as will often happen, the vessel was so far out of coal that it was absolutely necessary to proceed. There may be other parts of the world where the currents are so strong that a fixed rate of speed, say 5 or 6 knots an hour, will be unsafe for a vessel.

I mention these circumstances simply to show the difficulties which arise when we begin to make hard-and-fast Rules, instead of leaving the question of speed to the discretion of the master, who must be responsible to the Tribunals which will bring him to account for his reasons for proceeding as he does. It seems to me that it will be very much safer to adhere to the Rule as it at present exists. I analyze the amendments in vain to find where they improve upon the old Rules. I find that they may amplify and, in a certain sense, may lay down very correct principles, but I find that these principles will not apply to every case. I think that many of these amendments have been drawn up having in view the simple risk of collision in the open sea and without enough reference to a vessel approaching the shore or approaching fog-signals.

It is very necessary that we should refrain from making amendments to well-known Rules, unless it can be clearly shown that there is to be a very decided advantage. I think that the legal decisions upon this old Rule are valuable. It is true that great differences exist in the minds of legal gentlemen and of the Courts. The circumstances of the different cases bring about decisions which seem to be at variance with one another; but as a whole the decisions have tended to make clear that the responsibility was upon the captain, in a fog, to proceed at a moderate speed, and that he must show clearly that he was so doing under all circumstances. Any change in that Rule would not only confuse the minds of seamen, but be productive of a great deal of unnecessary litigation; for the moment that you amend a Law and make a new Law, you simply open the opportunities for seeking further decisions under that Law, or for changing the old decisions as they stand.

We read of a country that was so happy once that for many, many years it made no new Laws, and made no changes in its old Laws. That country got to so understand these Laws that there was no going to law among the people, and the Courts had nothing to do. The veracious chronicler goes so far as to say that one, and not the least of the advantages, was that the race of lawyers died out. We have no desire, of course, to produce a result of that kind. We should not know how to get along without them; but at the same time anything that will decrease litigation or prevent the going to law on the part of owners of vessels is an advantage. Therefore, it seems to me that it would be very much safer for us to adhere to the old Rule.

Captain Mensing (Germany).—Mr. President, I desire to state that I do believe that there is a very great advantage gained by the amendment as it is proposed by my friend, Dr. Sieveking. We have all been told here, I think on every Rule which we have debated, that these Rules should be constructed and worded in such a manner as to be applicable literally, so that each should be a hard-and-fast Rule; that it should stand as the Ark of the Covenant. Now, the moment we come to this Rule, the gentleman who has so often brought this argument forward, changes his idea and finds that the greatest advantage in this Rule is its flexibility. I am perfectly sure that my learned friend will reply that in the Ark of the Covenant there were, perhaps, certain Rules laid down which Moses never would have given if he had ever had a chance to try a good sugar-cured Cincinnati ham.

The disadvantage in the Rule as it now stands is that the sailor does not know that Article 13 is to be taken in a relative sense. He will say, "I have to go at one speed, that is to say, at a moderate speed under all circumstances, whether my ship is well found or not; whether my ship has steam

steering-gear on board or not; whether my reversing-gear is perfect or not; whether I have a captain and two officers, one on each side of the bridge, or not; whether the fog is light or whether it is so thick that I can cut it with a knife." He says, "I must follow this Rule; I must go at the same speed." I will not say that that is the decision of the Courts, but where is he to go to learn what the decision of the Courts is? There is where I claim the first great advantage of this amendment lies. The amendment proposes for him, and for every one who can read and will read, that this Rule is not to be taken in its literal sense as it stands, that it has a relative sense. If that is so, I think there could not be any very great difficulty in having it framed in such words as would suit everybody here. I think that the real difference of opinion is a very slight one. If there is one thing which is clear it is that the meaning of the Rule as it ought to be, and as it is intended to be in this amendment, is plain; and I certainly think that we have amongst us here Delegates who can frame such a Regulation as to be understood by everybody in the sense in which it is intended.

Mr. Goodrich (United States).—Mr. President, I have listened to the playful allusion of my friend who has just taken his seat, when he said that I had forgotten the sacred character of the Ark of the Covenant. The difference between the Ark of the Covenant and the Regulations which we are trying to amend is simply this: The Ark of the Covenant was given by the Almighty Power, and was perfect when it was made. There was nothing which could be amended in the Ark of the Covenant. The Articles which we are discussing are made by human minds. They are not sacred, and the discussions which have sprung upon this single Rule show how far they are from any character of perfectness.

The gallant Delegate from Germany has failed to understand the force, or intention, rather, of the remark I made about the Ark of the Covenant, and about having these Rules as sacred as that. Yes, wherever the sailor has to interpret them, as, for instance, in regard to the lights, these Rules must be fixed and absolute, so that there can be no question about them, no dispute about them, and no misunderstanding about them. The same thing applies to the sailing rules for vessels in sight. There the law is fixed and absolute. You want those Rules so plain that everybody must understand them. But I challenge the gentleman's intelligence and learning to make a Rule in regard to "moderate speed at sea," or moderation of a vessel's speed at sea, which will fit every case.

The difficulty is, as the gallant Delegate from France has stated, that at the very outset you have got to prepare for three contingencies and for twelve contingencies within those three. You take those subdivisions, as stated by the gallant Delegate from France, and you will find that you have got to subdivide again into subdivision after subdivision. You will make the Laws as long as the whole Code here if you attempt to define what moderate speed will be under all circumstances. Now, with regard to the legal decisions of the Courts. I am sure the argument of the learned gentleman from Hawaii does not impress me so satisfactorily as it seems to impress the nautical gentlemen around this board. I do not see any benefit which would result from the destruction of the lawyers. There may come a time, Gentlemen, when sailors will become religious, or when sailors will become angels; then there will be no necessity for lawyers, but as long as sailors and men sin there will still be a necessity for lawyers.

Now allow me to say a word about these decisions of the Courts. I remember a very pregnant sentence in a decision rendered by the Court of Appeals in the State of New York, where the Court, in commenting upon the selection of single sentences upon which a lawyer built up a very strong argument, said, substantially, that the citation of detached sentences taken from their settings, removed from their original context, was often specious but seldom effective. Marsden, for instance, gives the conclusion of the Court. He does not give the circumstances under which the Judgment was rendered. He simply finds the conclusion as based upon those facts; and plainly a conclusion thus adduced would not apply to other cases in which the facts were different; and so the gentlemen, in reading Marsden, whether they be lawyers or laymen, are met with the difficulty that they have not got the circumstances under which the Judgment of the Courts was pronounced. So, when one Judge says if a vessel is going at 5 miles an hour and is unable to avoid a collision she ought not to have been going 5 miles an hour, and another Judge, in another case, says if a vessel could go at 10 miles an hour and thus avoid a collision, she was not going at an immoderate speed, the Conference will see that these two Judgments were uttered under circumstances entirely different. Ten miles in speed is justified in one case by the Court, and 5 miles is disapproved in the other. The same Rule which applies to that condition of things applies to this Rule.

I repeat again what I am glad to say the learned Delegate from Great Britain commended in my former remarks, that the strength of this Rule lies in its flexibility, in its adaptability to all the circumstances under which vessels find themselves placed in situations of danger. You must leave, in your formation of these Rules, to the judgment of experienced mariners some opportunity to exercise that judgment which the owners who put them in command confer upon them. "Circumstances alter cases," says the old proverb. Circumstances surround the captain and guide the men who are on the quarter-deck of a ship at a time when a collision may be expected, and therefore, you must leave each man to his discretion under this Rule, which is one of the very few Rules which I would leave flexible. You must leave a large amount of discretion to the common sense and experience of the master of the ship.

The President.—The question before the Conference is upon the amendment of the Delegate from the United States, extra amendment No. 9, which proposes to do away with Article 13.

The question was put to the Conference, and lost.

The President.—The next business in order is the proposition of the Delegate from Great Britain to consider Article 13.

Mr. Hall (Great Britain).—Yes, Sir; my proposal is to discuss Article 13.

Mr. Goodrich (United States).—May I, then, ask that the order of proceeding may be that the amendment proposed by myself yesterday, extra amendment No. 39, may be considered here, because I think the Conference will come to the conclusion that it is the best summary, or as good a summary of the duties of a vessel in a fog as can be adduced from all the amendments which have been proposed.

If necessary I will discuss it, and show that it applies to all the cases which have been provided for in the various amendments. If the members of the Conference will, each for himself, analyze each sentence of that amendment, which was drawn, I think I may say, with very careful consideration by the various members of the Conference, I think they will find that it meets the necessities of the situation.

Mr. Hall (Great Britain).—Mr. President, I accept that in preference to my proposal. I think it would be more desirable, because I think this really deals with the question which has been suggested by three or four of the amendments of the different Delegates. Therefore I withdraw my suggestion.

The President.—If there be no objection, extra amendment No. 39 will be taken up.

The amendment is as follows:—

"Amendment proposed by Mr. Goodrich (United States) 11th November, 1889:—

"Article 13. A steam-vessel hearing before her beam the fog-signal of a vessel, the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop, and then proceed with caution until all danger of collision is over."

Mr. Hall (Great Britain).—I would suggest the insertion of the word "apparently," so that it will read, "a steam-vessel hearing, apparently, before her beam, the fog-signal of a vessel," &c.

Mr. Goodrich (United States).—I have no objection to that.

The President.—If there be no objection, the word "apparently" will be inserted. That amendment is accepted by the Delegate from the United States.

Mr. Goodrich (United States).—That is an addition to Article 13.

The President.—The Secretary will please read the amendment as an addition to present Article 13.

The amendment is as follows:—

"Article 13.—Every ship, whether a sailing-ship or a steam-ship, shall in a fog, mist, or falling snow, go at a moderate speed.

"(*a*) A steam-vessel hearing, apparently, before her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop and then proceed with caution until all danger of collision is over."

Captain Richard (France).—Mr. President, I have an objection to make to the amendment proposed by our honourable colleague, Mr. Goodrich. It provides for the case where a vessel on hearing the whistle of another must stop and go ahead with caution. I should like to be informed whether stopping is a good manœuvre. When you stop a vessel you take away from her the power to obey her helm. I understand that she should go with caution. But if you stop a vessel it generally deprives her of the means of manœuvring under proper conditions. Consequently I would prefer the language which has been submitted to us by the honourable Delegates from Great Britain: "stop if necessary;" but does not say in clear and emphatic terms that the vessel must first stop. If she stops she can no longer manœuvre. Consequently you simply expose her to a collision.

Captain Sampson (United States).—Mr. President, I cannot agree with the gallant Delegate from France as to the danger of making the Rule to stop imperative. On the contrary, I think that if it is optional to stop, when necessary, great danger will arise. For example, an officer of one ship might deem it necessary to stop and the other might think it unnecessary. This would be the condition most likely to result in a collision, for he has correctly stated that a ship lying at rest on the water has not the power to manœuvre as well as a vessel under way. It must be evident that if two ships are approaching, and in danger of collision, if it is made an absolute Rule that when they hear the fog-signals of each other they shall both stop, the conditions are the most favourable possible for avoiding a collision. A vessel, as I pointed out this morning, in some cases at least, will stop in a shorter distance than she can manœuvre in. I think that it would not be wise to leave this discretionary, and that it should be made obligatory on both vessels to stop. They thus move from the position at which they heard the signals the shortest possible distance. They make the chances of collision least possible. To be sure both vessels lose their power to manœuvre, but if they both stop, I think the danger will be the least possible.

The question is asked whether by stopping it is meant to stop the engines or stop the ship. I understand that this means to stop the ship in the water. When the signal is heard, of course the two vessels will be in proximity to each other, and the engines should be reversed and continued in motion until the ship is at rest in the water.

Mr. Hall (Great Britain).—Mr. President, I am very glad to hear the remarks which have fallen from the gallant Delegate from the United States with reference to making this stop mandatory. The gallant Delegate from France will see that words have been inserted to meet exceptional cases, "so far as the circumstances of the case require." It may be possible that a sailor might have a steamer astern of him, when it would be dangerous for him to stop. Then he would be covered by that exception; but he has to stop, under this Rule, unless there is some circumstance that makes it dangerous for him to do so. I think it is better that we should have this amendment to read that she shall stop, so far as the circumstances of the case admit. I think that this amendment includes the wise provisions which appear in both of the amendments of the Delegate from the Netherlands. It complies, to a certain extent, with the wishes of the Delegate from Japan. I think it meets what has been laid down as the proper course for a sailor to adopt when he hears a whistle in a fog. If the Delegates will read the Report of the Committee on Sound-Signals, they will see that it is pointed out there that prudent seamen would do this if they heard a sound-signal in a fog; and this is only making the law that which practical seamen have believed and acted upon as the most prudent course under the circumstances.

I will point out that it is necessary to have the word "apparently" in the amendment, so that it

will read: "A steam-vessel hearing, apparently, before her beam, the fog-signal of a vessel, the position of which is not ascertained," &c., for two reasons. Of course, if the whistle is aft and you only hear it once, that is a vessel passing; that is, not a vessel overtaking. But so long as the whistle appears to be before the beam, then of course it is necessary to find out the position of the vessel which is not ascertained. These vessels often travel in company. A steamer may have a steam-vessel bound in the same direction as herself, and she may be using her signal whistle continuously exchanging signals, and the officer would know practically the position of that vessel. It would then not be necessary for her to stop. Therefore I think it is necessary to have these words.

I have one further remark to make, and that is with reference to the word "stop." I apprehend that it may be very necessary sometimes for a vessel to stop her engines and even stop her way in the water; but I do not think it would be desirable to lay down that as a Rule. I think that ought to be left to the officer in charge of the vessel, as a prudent seaman. He can stop his engines, and then if he finds the other vessel is so near to him that he ought to stop his way, he will do so as a prudent seaman. I think it would not be wise to put that into the Rules, because, as has been often said with regard to this Rule, what we ought to avoid is the taking of the command of the vessel out of the seaman's hands. Give him general rules, and then let him be responsible for his conduct. I support this proposal, because it carries into effect the idea of the Delegate from the Netherlands and of the Delegate from Japan, and of the learned Delegate from Germany.

Mr. Flood (Norway).—Mr. President, I must again ask the indulgence of the Conference. I will state that, in one sense, I would agree with the proposition with regard to Article 13 made by Mr. Goodrich; but it is on condition that I should be told or it should be explained to me what speed a steamer would be expected to go which had to stop and ascertain whence the signal of another boat comes. I shall not occupy your time very long.

Let us look practically into the matter. Our present Rules order a steamer to use her whistle every two minutes. Suppose she goes only 15 knots an hour, that means 1,500 feet for every minute, or 3,000 feet through the water between each sound-signal. This is six times the length of the largest vessel afloat. Now, what practical use is there in fog-signals on board that vessel? None whatever. They are only a comfort, or discomfort, to her passengers (as you will take it). They are no warning of any benefit to other vessels. Suppose she meets another racer, or only an ocean tramp—a freight steamer with a maximum speed of 8 to 10 knots. The gap between them is soon filled up, and they will crash into each other in a heavy fog before the sound-signals can be heard. I have some practical experience in this matter. I have myself tried collision in a fog on the Newfoundland Banks, and repeatedly had hair-breadth escapes, and can therefore speak with that true and reliable conviction which personal experience gives. A good many things look well on paper and in a theoretical way. See the many ingenious inventions brought before the different Committees of this Convention. But, when you come to try them practically to see how they work on board a ship at sea, you find it very different, and that they often do not work so well as expected; perhaps some do not work at all. And so I think it is with some of the precautions mentioned and recommended during fog. Think of stopping your steamer, with 15 to 20 knots' speed, in a heavy fog, until you have determined the location of another steamer's whistle or a sailing-vessel's fog-horn, as proposed by the learned Delegate from the United States in the fifty-seventh amendment to Article 13! Why, long before you had any chance to effectually stop your vessel from going through the water the danger would be either over or encountered. With moderate speed, as proposed and defined by me, this amendment would no doubt work splendidly; but with full, or even high, speed, as advocated here, it would be utterly useless—indeed, only a farce, Therefore, gentlemen, let us act as practical men. Let all the Rules be as we, in principle, have accepted them or amended them up to date; but let us also put the corner-stone to this our fine building by fixing, as near as possible or practicable, a maximum speed in foggy weather. Or if this is found impracticable at present, give a full and explicit explanation of what this Conference really calls moderate speed.

Mr. Hall (Great Britain).—Mr. President, I would point out to the gallant Delegate from Norway that a vessel ought not to be going at 16 knots an hour in a fog. This is an addition to the present Rule, and not a substitution for the present Rule. I quite admit the force of the remarks of the gallant Delegate from Norway, if a vessel is running at full speed in a fog, but she has no right to be running at full speed in a fog. She ought to be going at a moderate rate of speed. Then, if she hears a signal ahead, she has to stop. I do not know whether the Delegate understood that the Conference has decided that the first paragraph of Article 13 stands as it is. I understood that this was read out by the Secretary as an additional section to Article 13.

Mr. Flood (Norway).—Mr. President, I must confess that sailors do not agree as to what moderate speed is. I get more confused by what is said and talked about here. I have information, and I have it from one of the best Admiralty lawyers I know of, that he did, not long ago, examine witnesses under oath, and they swore that their vessels were going at a moderate speed when they both were going at about 16 knots an hour. They swore to it. So what is moderate speed? I really do not know yet.

Dr. Sieveking (Germany).—I understand, Mr. President, that the vote has not yet been taken on the amendment of the German Delegation. It was only upon the question as to whether Article 13 should be struck out entirely.

The President.—The Chair understands that the Article remains as it was originally.

Mr. Goodrich (United States).—Mr. President, let me call the attention of the gallant Delegate from Norway to the fact that in the instances he has cited, where two vessels were going at 16 knots an hour, that in spite of the testimony of the captain and crew that they were going at a moderate speed, the Court had no difficulty in deciding that they were going at an immoderate speed.

Captain Sampson (United States).—If it was in a fog.

Mr. Goodrich (United States).—I assume that it was in a fog. There is more in this amendment—if the gentleman will pardon me for saying so—than seems to have been discovered. For the

information of the gentleman from Norway, and for the purpose of getting his views upon it, I call his attention to a single fact. In the first place, as the Rule stands, it provides that a vessel in a fog shall go at a moderate speed. That is the condition of things when the sound of the whistle is heard. Now an additional duty is imposed upon a vessel in a fog. She is to do something more; she is to stop; which means that the speed at which she is going is not sufficiently slow or sufficiently moderate for the circumstances. She must proceed slower; she must go with caution. What is the caution? Take away her speed and add to her look-outs; make her methods of observation keener and closer. It means more than going at moderate speed.

Then when you come to the question which is suggested by my colleague on the right as to what the other vessel shall do, the Rule provides for it exactly. Suppose that the other vessel is going at a moderate speed, and hears the whistle of a vessel? She goes with caution. The other vessel, hearing the whistle of the one first spoken of, also goes with caution; because you will not forget the fact that they are already going at moderate speed, and that has been, I think, very clearly defined by the Courts, and about that I do not believe that any master of any ship which swims the Atlantic can have any doubt whatever. Now, the gallant Delegate from Norway speaks of the very short interval which elapses in closing the gap between the two vessels proceeding at the rate of 15 knots an hour. A mile of that gap, it is true, is closed in three minutes; but my understanding is that whistles of steam-ships at sea can be heard for 2 or 3 miles. I may be in error. Some gentlemen say that they have heard them still farther. Reduce it to 2 miles if my estimate is too large.

Mr. Flood (Norway).—Do you mean in thick weather?

Mr. Goodrich (United States).—Yes, Sir. The low whistle is heard farther than the high whistle, I understand. The whistles which are constructed now can be heard at a distance of at least 2 miles. Then you have got an interval not of half a minute, but of six minutes. It seems to me that there can be no difficulty in adopting this amendment, because you have got, first of all, the vessel going at moderate speed to start with; then you have got a direction still more explicit, she must go on with still greater caution and adopt all the means in the power of man to avoid risk of collision, whether it be to stop, to slow, or to reverse and proceed with caution.

Mr. Flood (Norway).—Mr. President, I merely wish to reply to Mr. Goodrich that in the same case to which I referred those sailors swore they went at about 16 knots an hour, and also swore that they did not see the other steam-ship until they got within 300 feet of her, and that they did not hear the whistle before that at all. Sometimes in a heavy fog you can hardly hear the whistle. I have seen, when the fog partly lifted, the steam come up from the steam-whistle on the port side, and I have heard the sound come up on the starboard side. The sound has gone around and followed the openings in the atmosphere and come up on the starboard side. Every practical seaman will agree with me that when he has expected to find a fog-signal on the starboard quarter he has often found it on the port quarter.

Now, Mr. President, allow me to make a proposal. Some days ago I took the liberty of laying before this Conference a Resolution to have a Committee appointed to discuss this amendment to Article 13, about the speed at which vessels should go in a fog. It was lost, and the reasons were explained by the learned Delegate from Great Britain, with which I fully agree. He wanted the full Conference to discuss the matter. That has now been done, and I venture to propose that we should stop for to-day, and go no further in discussing this question of moderate speed, and that we should request the Collocation Committee to come together to-day, or to-morrow, or Wednesday, and ask them to kindly and earnestly take up this question of moderate speed and try to find out something which will make it plainer for sailors that it is at present. I will ask the gentlemen to take this matter under consideration, and on Thursday morning to give us an opinion which, perhaps, may solve the whole question and cut asunder what is truly a Gordian knot.

Mr. Verney (Siam).—Mr. President, may I ask whether this Rule has ever been affirmatively before the Conference, or is all that the Conference has passed upon that it should not be stricken out? May I ask your ruling as to that?

The President.—No vote has been taken on that question, because it follows, as a matter of course, that it stands.

Mr. Hall (Great Britain).—Mr. President, I will move, in order to get over the difficulty that was pointed out by the gallant Delegate from the United States, to insert the words "her engines" after the word "stop." It is clear from what has fallen from the gallant Delegate that it would be argued that she must stop her way, which would be dangerous to some vessels under certain circumstances. I should have proposed to put in these words originally if the matter had been called to my attention.

The President.—If there be no objection, those words will be inserted.

Captain Shackford (United States).—Mr. President, I want to say one word in reply to the gallant gentleman from Norway. The whistles he was speaking of must be the kind that we know nothing about. In the sort of vessels I have had experience with I have had no difficulty in hearing the whistles from 2 to 3 miles. But we frequently meet vessels, probably vessels of the kind that the gentleman from Norway knows about, when we really see the steam coming from the whistle-pipe before we can hear the whistle. I know there are a great many of those whistles in existence. If the vessels had proper whistles there would be no difficulty in hearing them in ordinary weather for 2 miles, and very frequently for 3 miles. My impression is that a whistle can be heard in a fog further than it can be heard in clear weather. I speak of that from my own experience. I would like to have the experience of other nautical men in the room as to whether that is not correct, that a whistle can be heard in a fog further than it can be heard in clear weather.

Admiral Bowden-Smith (Great Britain).—Mr. President, in answer to the Delegate from the United States I would like to say that I agree with him, and that in my opinion, and I have very often heard it, the sound of a steam-whistle can be heard at a greater distance in a fog than it can in clear weather. I would like to add one more remark on the difficulties experienced by the Delegate from

Norway in locating sounds. I know that this difficulty is made a great deal of among sailors, but I have not found that difficulty in locating sound in a fog. I have served a great deal in fleets, in my younger days; and as you know very well, the ships often get scattered, and all that sort of thing. I would hear the whistle of a vessel in a fog, and when the fog lifted she would be there where I supposed she was. I can say, for myself, that I do not find that great difficulty in locating sound in a fog which some people seem to find.

Captain Sampson (United States).—Mr. President, I assume that the words added by the learned Delegate from Great Britain to this amendment by inserting the words "her engines" after the word "stop" would not exclude stopping the ship if the necessity arose. I think it is entirely proper; but I am not sure that all the Delegates are quite in favour of the change.

Mr. Hall (Great Britain).—Mr. President, the reason why I propose to insert these words was that it might not be thought necessary to stop the way of the ship. Of course a master has the right to do so; but if we put it in as it is now, he might consider that he was bound to stop her under all circumstances.

The President.—Does the Delegate from the United States accept that?

Mr. Goodrich (United States).—Yes, Sir; I accept this suggestion. The gallant Delegate from Sweden has just called my attention to a matter of order in this Rule which I think is valuable. I stated awhile ago that a duty was imposed on a vessel in a fog of going at a moderate speed, and when she heard the whistle an additional duty was imposed upon her, namely to proceed with caution. It occurred to the gallant Delegate from Sweden that (and I heartily concur with him) the Rule would have more force in that direction if this were made a part of the other sentence, to come in after the words, "moderate speed," in the present Article, so as to make it all one sentence. I think the suggestion an admirable one and unless someone objects I will suggest that as an amendment. It will then read:—

"Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed, and a steam-vessel hearing, apparently, before her beam the fog-signal of a vessel, the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then proceed with caution until all danger of collision is over."

Captain Malmberg (Sweden).—Mr. President, as it is proposed here it stands as a separate paragraph, as it is when you come to Article 14, where you have sections (*a*), (*b*), (*c*), and (*d*). But they are all quite different cases. That is why I suggested to the Delegate from the United States that it ought to follow immediately after the words, "moderate speed."

Mr. Flood (Norway).—Mr. President, may I occupy the time of the Conference for one or two minutes? It has been stated by the Delegate from the United States and the gallant Delegate from Great Britain that fog-signals, whistles, can be heard 2 miles, and that they can be heard better in a fog than in clear wheather. Now just allow me a few words to state how sometimes a steam-whistle cannot be heard at such a distance. A good many years ago I was a master myself of a very large lumber-ship, and I lay becalmed in the Strait of Belle Isle. There was not a breath of air, as is often the case during a heavy fog. My vessel lay right across the Strait, and was entirely unmanageable. It was a dark October night, and I knew that the steamer from Montreal was due; I, therefore, took all the precautions I could. I had three flare-up lights, mops saturated in turpentine, ready for any emergency. And sure enough, shortly after midnight we saw that steam-vessel right on our beam. We used our fog-horn and made all the noise we could, and showed our flare-up lights. Suddenly the big steamer loomed up, heading between my foremast and mainmast, and I just then heard the steam-whistle. Apparently, she had just observed our lights and heard our crying, for she went right under my stern, and so near that her boat davits tore away my flag lines and broke the peak of my gaff. While doing so, a rough voice from the bridge right over my head sang out the following blessing: "What in the hell are you doing there?" I was younger then by twenty years, and I thank God that voice disappeared in the darkness, or it would have been silenced in another way.

Mr. Hall (Great Britain).—Mr. President, I will point out that this is only a very strong argument in favour of vessels doing something when they hear a whistle, and it will be very pertinent when we discuss the question as to how far whistles and fog-horns can be heard in a fog. But at present there has been no one who has spoken in opposition to the principle of this amendment which is before the Conference. It has been advocated by all of those who have spoken up to the present time, and no one has opposed any objection to the principle. It has been advocated by the Delegates from at least three other Powers besides the United States.

The President.—The question is upon extra amendment No. 39. The Secretary will please read it as it now stands, after alteration.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed; and a steam-vessel hearing, apparently, before her beam, the fog-signal of a vessel, the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then proceed with caution until all danger of collision is over."

Dr. Sieveking (Germany).—Mr. President, before a vote is taken upon this amendment I beg to say that the amendment which was just now read differs from the amendment which is in print, because it takes the whole Article. If we vote on that amendment we will also vote on the amendment of the German Delegates. That certainly cannot be the meaning.

Mr. Hall (Great Britain).—The motion, as I understand it, is to add these words to Article 13.

The President.—The Chair understands that this is an addition to Article 13.

Captain Shackford (United States).—Mr. President, before a vote is taken I would like to say one word, as I moved the elimination of Article 13. I hope the Delegates will not be alarmed at my getting up to say one word. I am sure it is not necessary for me to say that if I thought the elimination of Article 13 from the Rules would increase the speed of ships in thick weather, this Resolution would never have been offered. With even the most remote chances of such a result the offering of it would have been an insult to the profession of seamen, and the responsibility something appalling. The object I wished to accomplish when I proposed the repeal of this Article has been thoroughly attained by the discussion of the subject. I know that no thoughtful and intelligent shipmaster who reads the debate on this Article can doubt that the regulation of speed in thick weather lies, where it always has, with the man who has the responsibility upon himself.

The President.—The question is upon the addition to Article 13, which has just been read by the Secretary.

The question upon the addition to Article 13 was put to the Conference, and carried.

The President.—The Secretary will now read an invitation for the information of the Conference.

The invitation is as follows:—

"The Secretary of the Navy presents his compliments to the Delegates of the International Marine Conference, and requests the pleasure of their company at the U.S. Naval Academy, Annapolis, Md., on Saturday, November 16."

The President.—An invitation of the same character will be sent to each Delegate. This is a notification in advance, so that the Delegates may make their arrangements.

The Secretary.—The Life-Saving Committee will meet in room No. 43, and the Load-Line Committee in room No. 40, on the first floor above, at 11 o'clock on Thursday morning.

The President.—The Chair understands that there will be no session of the Conference to-morrow.

The Conference thereupon adjourned until Thursday morning, 14th November, 1889, at 11 o'clock A.M.

Washington, Thursday, November 14, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The first order of business for the day will be the presentation of new amendments to the Rules of the Road. If any Delegate has any amendment to offer, he will please present it without making any remarks.

Dr. Sieveking (Germany).—Mr. President, I beg leave to offer an amendment. I suppose I need not read it. I beg leave to hand it in for printing.

The President.—The Secretary will read the amendments which have been presented, for the information of the Conference.

Amendment presented to Article 13 by the Delegate from Japan:—

"Article 13. Every vessel, whether a sailing-vessel or a steam-vessel, shall, in a fog, mist, or falling snow, go at a moderate speed.

"For the purposes of this Rule, moderate speed shall be held to mean that rate of speed which will enable vessels in a fog, mist, or falling snow to avoid collisions and other maritime disasters.

"But in no case shall such speed exceed 10 knots when at sea, or 5 knots when in crowded waters, or when a signal is heard from another vessel ahead or on either side."

Amendment presented by Dr. Sieveking, Delegate from Germany, as follows:—

"*Vessels Towing.*

"Article 13. When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing.

"When a steam-vessel towing one or more vessels is approaching a sailing-vessel, whether towing one or more vessels or not, so as to involve risk of collision, the steam-vessel is to keep out of the way of the sailing-vessel.

"When two steam-ships, both of which are towing one or more vessels, or when two sailing-vessels, both of which are towing one or more vessels, are approaching one another so as to involve risk of collision, they are subject to the Rules for Steam-Vessels and Sailing-Vessels, respectively."

Amendment proposed by Mr. Frederick Verney, Delegate from Siam, as follows:—

"*Steering and Sailing Rules for Preventing Collision.*

"Article 14. In order to prevent risk of collision, the following Rules shall be observed:—

"Sailing-Ships.—When two sailing-ships are approaching one another, one of them shall keep out of the way of the other, so as to prevent risk of collision.

"(*a.*) A ship which is running free shall keep out of the way of the ship which is running close-hauled.

"(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

"(*c.*) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

"(*d.*) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

"A ship which has the wind aft shall keep out of the way of the other ship.

"*Steam-Ships.*

"Article 15. If two ships under steam are meeting end on, or nearly end on, each shall alter her course to starboard so as to prevent risk of collision, so that each may pass on the port side of the other.

"This Article only applies to cases where ships are meeting end on, or nearly end on, and does not apply to two ships which must, if both keep on their respective courses, keep clear of each other.

"The only cases to which it does not apply are, when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which by day each ship sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each ship is in such a position as to see both the side-lights of the other.

"It does not apply by day to cases in which a ship sees another ahead, crossing her own course, or by night, where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other; or where a red light without a green light, or a green light without a red light, is seen ahead; or where both green and red lights are seen anywhere but ahead.

"If two ships under steam are crossing, the ship which has the other on her own starboard side shall keep out of the way of the other, so as to prevent risk of collision.

"*Steam-Ships and Sailing-Vessels.*

"Article 16. If two ships, one of which is a sailing-ship and the other a steam-ship, are approaching each other, the steam-ship shall keep out of the way of the sailing-ship, so as to prevent risk of collision.

"Article 17. Every steam-ship, when approaching another ship, shall slacken her speed, or stop and reverse if necessary, in order to prevent risk of collision."

Amendment offered by Captain Salvesen (Norway), as follows:—

"*Signals for Pilots.*

"Article —. When a vessel requires a pilot the following shall be the signals to be used by her, either together or separately, that is to say:—

"In the daytime—

"1. To be hoisted at the fore, the jack or other national colour usually worn by merchant-vessels, having around it a white border, one-fifth of the breadth of the flag.

"2. The International Code pilotage signal indicated by P. T.

"At night—

"1. The pyrotechnic light commonly known as blue light, every fifteen minutes.

"2. A bright white light flashed or shown at short or frequent intervals, just above the bulwarks, for about a minute at a time."

Mr. Goodrich (United States).—Mr. President, I move the following Resolution in regard to the order of business: That after the discussion of any Article has been completed no further discussion or amendments will be in order except upon a three-quarters vote.

The object of that is that after we have finished the discussion of a Rule that shall be the end of it. If there should come a time, in the opinion of three-fourths of the Delegates, when an amendment is of so great importance as to be worthy of consideration after the disposal of the Article, then the Conference by a three-fourths vote will take it up for consideration. Unless this course is adopted we never shall finish the discussion here.

The President.—The Secretary will please read the Resolution.

The Resolution is as follows:—

"*Resolved*,—That after the discussion of any Article has been completed no further discussion or amendments will be in order except upon a three-quarters vote."

The President.—You have not defined what finishes the discussion. You should define that.

Mr. Goodrich (United States).—I will change the Resolution.

The President.—The Secretary will now read the Resolution as changed.

The Resolution is as follows:—

"*Resolved*,—That after any Article has been adopted no further discussion of or amendment to it will be in order except upon a three-quarters vote."

The President.—Is the Conference ready for the question upon this Resolution?

Mr. Goodrich (United States).—The President suggests that I ought to say to the gentlemen who

have introduced amendments this morning that they do not come within this Rule, because we can hardly pass an *ex post facto* law. Those amendments can be considered, but after the passage of the present Resolution, this order of business will be observed by the Conference.

Mr. Hall (Great Britain).—Mr. President, I certainly wish to support the proposition which has been made by the learned Delegate from the United States. I venture to say that it would be intolerable if amendments were to be handed in dealing with subjects which were practically disposed of, for we might be kept here until doom's-day. I think that gentlemen ought to have some consideration for the rest of us and not bring forward amendments upon Rules which have been discussed very carefully and at very great length, and which have been often disposed of upon the very points to which the amendments are addressed. I shall certainly support this Resolution. I think it a most desirable one, and I hope that the Delegates will all assist one another in trying to prevent the utter waste of time which must ensue if amendments are showered in upon us after so much careful consideration.

The Resolution was then put to the Conference, and carried.

The President.—The next order of business will be the consideration of Article 13, amendment No. 36. The Chair, however, desires to call attention to the fact that extra amendment No. 41 to Article 3, is in order, and may now be disposed of before the amendment No. 36 to Article 13 is taken up. The amendment will be read for the information of the Conference.

The amendment is as follows:—

"Article 3 (*e*). The said green and red side-lights to be placed in steam-vessels not forward of the masthead-light, and in sailing-vessels as near abreast the foremast as practicable."

Mr. Flood (Norway).—Mr. President, I must confess that I am not fully prepared to discuss the amendment proposed in extra amendment No. 41. I thought that Article 13 was to be proceeded with this morning, so that I have not exactly prepared myself. Since proposing that amendment I have carefully gone through what has already been said about the matter, and, if I am not mistaken, I find upon the Protocol of that day that this matter was not disposed of, but that it was postponed until a further Report of the Committee on Lights. I think it would be very desirable to have these side-lights placed in a uniform position so that to a certain extent we would know where they were on board a ship. I am not prepared to propose any exact number of feet or any fixed position at which to place them. I only want it to be so far fixed that they shall be placed on board of steamers, abaft the masthead-light, and on board of sailing-vessels as nearly as possible abreast the foremast.

There are many reasons for having a certain place for these side-lights. When we think that many of our modern vessels run up to 500 feet in length, it makes a great difference whether these lights be placed on the cathead or right aft abreast of the stern. I also speak from some past experience. I have the honour to represent about 3,000 vessels in my clubs. I have had collision cases decided in the Admiralty Courts of this country and in Canada.

In Norway the signal-lights are measured over and over again. The size of the wick is taken; the size of the glass and of the screens is given, not only in feet, but, in certain countries, in centimetres. Now, when they are so careful about these details, why not come to the main question where this apparatus is to be placed?

I will not detain you by going into details about a great number of cases, but I will put one before you. I had a collision case last year in Quebec before the Admiralty Court. A vessel of mine, on the starboard tack, was run into by a big English vessel; both boats claimed that they had not seen each other's lanterns, and it was claimed by the Englishman that my lanterns were not there at all. It was found, and it was true, that the lanterns in my vessel were placed before the main rigging, in davits swung outside, and he wanted to prove that the foresail obscured my lights, and that that was the reason of the collision.

Now, the Admiralty Court in Quebec went so far as to have the lanterns put in their places; they had the foresail set and the lanterns fixed, and they had experts to see whether it obscured the light or not. Fortunately, these davits were 3 feet out from the vessel, and it was proved that by having them 3 feet outside the lights were not obscured. I cannot quote the words of the learned counsellors in that case; but they have very fine Admiralty lawyers in Quebec. They pointed out, according to English Court decisions, that the proper place for the lanterns was somewhere in the forward part of the ship, and not aft. That case went on from June until the next spring. The lanterns were kept there and they were lit and put up. They were tried as to how long they would burn. They were tried as to how far they could be seen. They kept the lanterns there the whole winter to make these trials, and fortunately I won the case.

I only put this case to show that there really are disputes about the place where the lanterns should be placed, and I do not see why we could not come to a uniform agreement about it. I see in one of the Protocols that one of the strongest points against having a certain place for the lanterns is that it would be almost impossible for the men-of-war to have their lights placed in that way. There are, fortunately, not so many men-of-war in the world that the Rule should be entirely regulated by them. I think they should be compelled to find a place for the lanterns, so that they may be kept somewhere abaft the masthead-lights. That is what I ask. For steamers that will generally mean in the neighbourhood of the bridge, and for sailing-ships somewhere abreast of the foremast, but not forward of it.

Mr. Hall (Great Britain).—Mr. President, although this amendment which the gallant Delegate from Norway has brought forward this morning is not in the identical words with some of the previous amendments which have been disposed of by the Conference, yet I apprehend the principle really was so thoroughly discussed and practically disposed of by previous votes of the Conference, on the subject of the position of these lights, that I do not intend to occupy the time of the Conference with any remarks upon this point. It is fresh in the recollection of the Conference that it was urged very

strongly by most, if not all the speakers, when we discussed these points, that it was really impossible to lay down a hard-and-fast rule as to where they should carry their lights, owing to the different construction of vessels.

I beg to call the attention of the Conference to the Report of the Committee on Lights, at p. 9, where they discuss whether or not it is possible to lay down any rule as to the actual position in which the side-lights are to be carried. They say there that it is practically impossible to assign to the side-lights a certain fixed position in regard to the foremast-light, particularly if this position should be chosen forward of the mast, by which no doubt the greatest advantage could be obtained. Then they go on to say—

"But we think that at least some advantage might be gained by placing the side-light abaft the mast, at as nearly a certain fixed angle as circumstances will permit. Such a change could be made, probably, without incurring great expense, and we wish to propose to the Conference the adoption of the Rule according to which steamers would have to carry their side-lights abaft the foremast-light, the connecting line forming an angle of six points with the keel, or as nearly so as possible."

But this is only a recommendation, made without any practical experiments having been made, and without any knowledge on the subject; and as was pointed out here, over and over again, by previous speakers, a great many vessels would have to be reconstructed in order to provide for complying with any hard-and-fast rule. I venture to think, having regard to the fact that it is practically impossible to assign to the side-lights any fixed position with regard to the foremast-lights, that the Conference cannot support this proposition. The matter was discussed at very great length here several days ago, and although there is a change in the wording here the principle is the same, that there should be a fixed position for the light.

It is perfectly true the Committee pointed out that it might be desirable to have the lights abaft the masthead-light. They threw that out as a suggestion, and they say that such a change might be made probably without incurring great expense; but that part of the paragraph, which I hope the members will read, is governed by the first two lines, where they say that it is practically impossible to assign to the side-lights a certain fixed position in regard to the foremast-light. I do not see how it is possible to ask the Conference to decide against such a very strong opinion as the opinion of the Committee on Lights, which is composed of such eminent gentlemen.

Mr. Flood (Norway).—Mr. President, it might be impertinent for me to stand up after the learned First Delegate from Great Britain has spoken. He says that this has been entirely disposed of. I cannot find anything about this, except on a page in the Protocol for 4th November, in which Captain Mensing says: "On the whole it would be better to postpone this until the discussion of the Report of the Committee on Lights." I beg to be excused for asking the question as to whether this was afterwards considered. I have not been present at any other discussion, and I cannot see how it can be said that this has been entirely disposed of, when Captain Mensing, out of courtesy only, asked to defer the further discussion until the Report of the Committee on Lights could be heard.

Mr. Hall (Great Britain).—Mr. President, I will only point out, if there is any dispute about this, that if the Delegate will kindly look at extra amendment No. 28, it was proposed that vessels should carry on the same vertical plane as the masthead-light a red light, &c. That was proposed with regard to the starboard and port lights. That was withdrawn by the learned Delegate from the United States because of the fact that it had been disposed of by a previous vote of the Conference. I have not a copy of all the Protocols before me, but I am speaking within the recollection of the Conference. I venture to say that there was a lengthy discussion as to whether or not we could fix any position for the lights with regard to the masthead-light.

I remember the discussion arose upon the amendment of my learned friend, the Delegate from Germany, in his proposal that they should be placed not less than 20 feet abaft, which was in the seventh amendment. The seventh amendment was discussed at great length as to the question whether or not the light should be fixed at a place not less than 20 feet abaft the masthead-light. We discussed it at very great length, and I venture to say that not merely the gallant Delegate from Germany, but other Delegates, spoke upon the subject, and it was pointed out that it was impossible to have a fixed position for the light.

I remember myself reading this very Report of the Committee on Lights, showing that it was impossible to have a fixed position for the side-lights on board of every vessel. That being so, I confess that I do not quite understand how it can be suggested that the point has not been carefully discussed. I carefully limited my opening remarks by saying that the exact words of this amendment had not been dealt with, but the principle whether or not we should lay down any fixed position, either before or behind the mast, for the side-lights, was discussed at very great length.

Captain Mensing (Germany).—I can only agree with what the learned Delegate from Norway has said. I do not believe that this matter has been discussed or settled by a vote. It has been brought up and it has been discussed; but I withdrew my amendment, stating that I wished to withdraw amendment No. 7 in favour of the proposal of the Committee on Lights, on p. 9. Mr. Goodrich then said, according to the stenographic Report:—

"I would suggest to the Delegate from Germany that he must either make a formal proposition to withdraw this amendment or make a motion to substitute something in its place." I then answered: "That would be impossible for me to do just now; therefore, I would ask leave to withdraw this amendment. At the same time I would ask permission to put another one in later."

I think it is not necessary to go over the same ground again; but I would like to point out that what the honourable Delegate from Norway has proposed is virtually the same as the proposition of the Committee on Lights. I cannot fully agree with the learned Delegate from Great Britain when he says that it is proposed to make this a hard-and-fast Rule. The very flexibility of the Rule, in this

case, is to me a great advantage. What the honourable Delegate from Norway proposes is that the red and green side-lights are to be placed in steam-vessels not forward of the masthead-light, and in sailing-vessels as near abreast of the foremast as possible. The learned Delegate from Great Britain has kindly said that we have been acting in the Committee on Lights without any knowledge on the subject. I do not know whether that is the general impression; but I would like to ask——

Mr. Hall (Great Britain).—I am sure I did not make myself clear to the gallant Delegate. Nothing was further from my mind than to say that the members of the Committee on Lights had no knowledge. I said that I did not know that they had made any experiments on the subject. It was very far from my mind to say that they had no knowledge on the subject, because I fully appreciate the great experience and knowledge they have in regard to the matter.

Captain Mensing (Germany).—Mr. President, this is not a hard-and-fast Rule. It provides, as the German amendment did, that the lights shall be placed behind the foremast-light. The German amendment provided that it should be 20 feet or at a certain angle. It would be impossible to carry out this Rule to the letter; and it was the wish of the Committee on Lights to express this idea in their Report in the words which are quoted by the learned Delegate from Great Britain, as follows:—

"That it is impossible to assign to the side-lights a certain fixed position in regard to the foremast-light, particularly if this position should be chosen forward of the mast, by which, no doubt, the greatest advantage could be gained."

I do not see any difficulty in placing them so that their position shall entirely agree with the amendment proposed by the honourable Delegate from Norway.

Mr. Hall (Great Britain).—Mr. President, I have now been favoured by the Secretary with a copy of the Protocol of the 4th November, which I presume is the one which has been referred to. I find that the gallant Delegate from Germany in making the proposition which stood in the name of his learned colleague—that the light should be carried at a distance of not less than 20 feet abaft the masthead-light—I find him using there the very phrase which is in the Report of the Committee on Lights. I find him saying there:—

"We have been fully aware in proposing this amendment that it would be very difficult, I may say practically impossible, to fix any definite Rule where they shall be placed."

I ask the Delegates whether this is not a proposition to assign a definite place where they are to be situated. Can this difficulty be got over by adding the words "as nearly as practicable"? That is what the learned Delegate himself says, introducing his colleague's proposition, "that it would be very hard, and I may say practically impossible, to fix any definite Rule where they shall be placed." Now I desire to suggest to the gallant Delegate from Germany that it is not a matter which has not been considered. I find that his observations occupy a page and a half of the close print in the Protocol.

I find that the learned Delegate from the United States also dealt with the matter at considerable length. He said that they had considered this amendment and did not exactly see the benefit of it.

"The difficulty in our minds is that this Regulation as proposed would be a very good one if ships were all of the same construction and same size."

He pointed out the difficulty of having anything like a fixed position for these lights. Then I am ashamed to say that I occupied the time of the Conference for much more than a page of the close print, and read this very paragraph from the Report of the Committee on Lights, at full length, and pointed out that it would be madness for us to pass international Rules simply because it was suggested by the Committee that some Rule might be adopted, without having any knowledge that would be practicable or good or what the result would be.

Then I find that another Delegate from the United States also addressed the Conference upon the point; and in fact two other Delegates of the United States addressed us. There was a very lengthy debate on the matter. Therefore I cannot help thinking that this matter has been discussed in principle, although, as I said, the actual wording of the amendment has not been before the Conference.

Captain Mensing (Germany).—Mr. President, I am afraid I have not expressed myself very clearly. What the learned Delegate from Great Britain has stated is quite true, and I would like to take the statement word for word as it appears in the Report of the Committee on Lights, in which the same expression is used as that which is proposed by the Delegate from Norway. We have not considered this as a fixed position for lights. We say that we think it advisable not to put the lights forward, but to put them abaft the foremast-light. That is not giving them a fixed and unalterable position with regard to the foremast-light. I think there is a great deal of difference, and I have been a little surprised to see that the learned Delegate from Great Britain has taken it in a different sense. It is not a fixed position; it is a position which can be altered according to circumstances.

All that is required is that the side-lights should be placed abaft the foremast-light. If this condition is fulfilled every position will be within the meaning of this amendment and within the wording of this Rule, no matter whether the light is placed abeam or 200 feet behind. If this be the case, and there is extreme latitude given, as there certainly is under the amendment presented by the honourable Delegate from Norway, I do not see how it is possible to speak of a fixed and unalterable position for the side-lights.

Mr. Verney (Siam).—Mr. President, may I ask a question for information? Will the gallant Delegate from Germany, and also the gallant Delegate from Norway, inform us, who are landsmen,

what is the great advantage if so much latitude is given in attempting to fix the position of the lights as proposed in this amendment? If so much latitude is given, what is the advantage of the amendment?

Captain Mensing (Germany).—I think it is quite clearly explained on p. 9 of the Report of the Committee on Lights; perhaps the learned Delegate from Siam will have the kindness to read it through, then I would not have to take up the time of the Conference. I have nothing to add to what the Report says.

The President.—The question is upon the amendment of the Delegate from Norway.

Mr. Flood (Norway).—Mr. President, before this amendment goes to a vote I wish to take the liberty of stating that I brought in this amendment after carefully going through, as well as I could, this Report of the Committee on Lights. I waited until the last moment and I nearly lost my chance to bring it forward, because out of modesty I thought that someone else would do so; but when I found that no one did, I took the liberty of framing my amendment exactly according to the wording of the Report of the Committee on Lights.

The President.—The Secretary will please read the amendment.

Extra amendment No. 41 is as follows:—

Article 3 (*e*). The green and red side-lights to be placed in steam-vessels not forward of the masthead-light and in sailing-vessels as near abreast the foremast as practicable."

The question upon extra amendment No. 41 was put to the Conference.

Mr. Goodrich (United States).—I call for the Yeas and Nays.

The Yea and Nay vote was as follows:—

United States	Nay.	Honduras	
Austria-Hungary	Nay.	Italy	Nay.
Brazil	Yea.	Japan	Nay.
Belgium	Nay.	Mexico	Nay.
China	Yea.	Norway	Yea.
Chile	Yea.	Portugal	Yea.
Costa Rica		Russia	Yea.
Denmark	Yea.	Spain	Yea.
France	Nay.	Sweden	Yea.
Germany	Yea.	Siam	Yea.
Great Britain	Nay.	The Netherlands	Yea.
Guatemala		Uruguay	Yea.
Hawaii	Nay.	Venezuela	

The President.—The vote is as follows: 13 have voted in the affirmative and 9 in the negative. The amendment is adopted.

The next order of business before the Conference is amendment No. 36, Article 13. The Secretary will please read it.

Captain Saldanha da Gama (Brazil).—Mr. President, may I present an amendment to Article 13 before the discussion of that Article is finished.

The President.—Yes, Sir. It should have been presented at the beginning of the Conference, but if there is no objection it will be received now and will be read.

Said amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, in fog, mist, falling snow, or heavy rain-storm, by day and night, and to avoid as far as possible the risk of collision, shall go, when in the open sea, at such a precautionary speed as would be most advisable according to the circumstances—

"When in narrow waters, fishing-grounds, crowded waters, and regions in the vicinity of the land, her speed to be so far moderated as is consistent with the ship's own safety.

"When a ship hears a fog-signal from another vessel she shall reduce her speed to the utmost until she has determined the location of such vessel, to manœuvre or proceed accordingly."

The President.—The next subject for consideration is amendment No. 36, Article 13. The Secretary will please read it.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall in a fog, mist, or falling snow, go at a moderate speed.

"When hearing a fog-signal without being able to ascertain whence it proceeds, a steamer shall be obliged to reduce her speed to the minimum speed by which she can be manœuvred, not to manœuvre and not to accelerate the speed until the position of the approaching vessel be known."

Captain Van Steyn (the Netherlands).—I substituted another amendment for that. I gave in No. 38 in place of it.

The President.—Does the Delegate wish to withdraw this amendment?

Captain Van Steyn (the Netherlands).—I wish to withdraw this amendment.

The President.—The Delegate from the Netherlands wishes to withdraw amendment No. 36. If there is no objection it will be withdrawn. The next amendment will be No. 54 to Article 13. It will be read by the Secretary.

"Speed of Ships to be Moderate in Fogs, &c.

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed, which in vicinity of land or crossing ice regions or fishing-grounds ought not to exceed one-half of her maximum speed."

Mr. Flood (Norway).—Mr. President, I think I took the liberty two days ago to withdraw that amendment.

The President.—The amendment is withdrawn by general consent.

The next amendment is No. 57, which will be read.

Amendment No. 57 is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed, and every vessel that hears a fog-signal of another vessel shall stop until she has determined the location of such vessel."

Mr. Goodrich (United States).—Mr. President, that is withdrawn, with the permission of the Conference.

The President.—If there be no objection the amendment will be withdrawn. The next amendment in order is No. 58.

Mr. Tsukahara (Japan) —Mr. President, I desire to withdraw that amendment.

The President.—Amendment No. 58 is withdrawn by general consent. The next amendment in order is extra amendment No. 1 to Article 13.

Mr. Flood (Norway).—Mr. President, I take the liberty of saying a few words to explain what I mean by this amendment. I would ask permission to deal with the first part of it, and I take the liberty to propose that the words "during heavy rain-storms" be inserted, and that the remainder be left to be discussed with the different amendments handed in to-day with regard to the rate of speed. I wish to state my reasons for thinking it necessary to insert the words "during heavy rain-storms between sunset and sunrise." I have found, from long experience, that in dark nights, during heavy rain-storms, it is impossible to see far enough ahead to depend on the usual lights when going at a high speed, of 15 to 20 knots an hour or even less. I consider it extremely dangerous, for in such weather neither the steam-whistle nor the fog-horn can be used, according to the present Rule, which only includes fog, mist, and falling snow. You have only to depend on your eye-sight; and what human eye can look right ahead in the teeth of a heavy rain-storm? It is utterly impossible! I have in vain tried it over and over again, on the forecastle, on the bridge, and on the quarter-deck. If that be the case, and my assertion be proved to be true, why not also introduce the words "in heavy rain-storms during the night" in this Article.

Mr. Goodrich (United States).—Mr. President, one of the Delegates from the United States, Captain Shackford, suggests that if this matter meets the views of the Conference it would be still better to substitute for the words "heavy rain-storms between sunset and sunrise" the words "during thick weather." Of course I have not the practical experience of my nautical friends which would enable me to say whether that would meet the idea of the Delegate from Norway. There might be heavy rain-storms which would not interfere with the sight. The words "thick weather" are somewhat more flexible and somewhat more embracing. So I suggest to the Delegate from Norway whether it would not meet his views better to express it in that way.

Captain Shackford (United States).—Mr. President, what I really meant was that the words "thick weather" should be substituted for "fog, mist, and falling snow." I meant to substitute the words "thick weather" for the words "fog, mist, and falling snow." Every sailor knows what thick weather is.

Mr. Flood (Norway).—I can only state to Captain Shackford that I did not propose to alter the Rule which has stood so long, so far as the technical words go. I will say that in my own experience falling snow is not practically met with in our latitude very frequently. But there might be a very light fall of snow or there might be a very heavy fall of snow, so that in taking the Article literally when there is snow falling vessels would have to slow down at once. I do not think you could get seamen, under all the circumstances, to comply with this. But I would like very much to have some of the other seamen express their opinions about heavy rain-storms at night. I challenge those gentlemen who have stood on the bridge at night to stand up and tell their experience.

Captain Malmberg (Sweden).—Mr. President, my opinion is that every sailor navigating a vessel, whether steamer or sailing-vessel, understands perfectly well what is meant by moderate speed in Article 13, and that it is only when a collision case in a fog comes before the Court that he may pretend to say that he could not rightly interpret the meaning of the words "moderate speed."

Mr. Hall (Great Britain).—Mr. President, I certainly think it is desirable to include this, if sailors have any doubt whatever as to what their duty would be in heavy rain-storms, when they cannot properly see ahead in order to navigate the ship. I have no objection to these words being introduced; but I think the arguments which have fallen from the gallant Delegate from Norway, and the remarks which have just been made by the gallant Delegate who has addressed the Conference, point to the fact that it would be most unwise, if it is very difficult to see in a heavy rain-storm, to insert the words "between sunset and sunrise," because that would only apply to the night-time. If they are only to be compelled to do this during heavy rain-storms between sunset and sunrise it would not apply during heavy rain-storms in the daytime.

Mr. Flood (Norway) —Mr. President, I am willing to strike out the words "between sunset and sunrise," but I did not dare to do so. I would rather get the finger if I cannot get the whole hand. I am perfectly willing to strike out those words.

Mr. Hall (Great Britain).—Mr. President, I would certainly say that if we are only to specify that a man is to navigate his vessel carefully at night in a heavy rain-storm he might add that he was

entitled to go at full speed during the day. Therefore, I think that if we adopt the principle we had better carry it out in its entirety. I understand, at present, that we are only discussing the question as to whether we shall add a definition of "thick weather."

Mr. Goodrich (United States).—Mr. President, I move to amend the Article so as, perhaps, to meet the views of the Delegates who have spoken on the subject. I move to amend the Article so that it will read: "Every ship, whether a steam-ship or a sailing-ship, shall, in fog, mist, falling snow, or thick weather——

Mr. Flood (Norway).—Mr. President, thick weather does not cover my point. I cannot translate the word "mist" in my language in any other way than to mean exactly the same as thick weather. But I would be most thankful to accept what the First Delegate from Great Britain has suggested, to strike out the words "between sunset and sunrise" and let it read exactly as he proposes.

Mr. Hall (Great Britain).—It would be unnecessary to put in there either "by day or night," or "between sunset and sunrise."

Mr. Flood (Norway).—That would all go out of course. If it is supported, I will take the liberty of altering my amendment to that effect.

Mr. Carter (Hawaii).—Mr. President, may I be permitted to point out that on ships in the Pacific Ocean this would be something of a hardship, because while they very rarely have fogs, mist, or falling snow—and, therefore, I am very much attached to that form of words—they do have heavy rains. But the ocean is so unfrequented in the parts of which I speak that there would be no danger to a vessel, that is, no risk of collision, in proceeding at full speed. These rain-storms are so frequent that it seems to me it would work a hardship on steamers in the Pacific which are not in danger of colliding with other vessels. It appears to me also, if I may say so, that these crowded lanes seem to occupy the attention of the members of the Conference, and very naturally so, as they are the parts of the ocean with which they are most familiar, and where probably the greatest danger lies. But in the wording of these Regulations I would like to call the attention of the Conference to the fact that we are legislating for all the oceans.

The President.—Does the Chair understand the Delegate from Norway desires a vote upon the whole of his amendment?

Mr. Flood (Norway).—No, Sir; I propose to have a vote only upon the first part of the Article: "Every ship, whether a sailing-ship or a steam-ship, shall, in fog, mist, falling snow, or heavy rain-storms"—and there to stop. I will leave the rest to be discussed at some future time. The rest of my amendment may be dealt with, if necessary, with the rest of the amendments to that effect. In doing so I still have the fond hope that we will find out some way of wording this paragraph so that we may not have to specify the number of knots as a general rule; and therefore I ask that the vote be only upon the first part of the amendment.

The President.—The Chair would state that this is an incomplete sentence, and it will be difficult to take a vote of the Conference upon it unless the Delegate completes it in some way.

Mr. Hall (Great Britain).—I will point out to the Chair that to go at moderate speed is the rule at present adopted by the Conference, and if it is wanted to insert these words it will be done by an amendment to the present Rule. If the Delegate wants to insert the words, "or heavy rain-storms," let him move to insert those words, and the Rule will then read that in heavy rain-storms we are to go at moderate speed.

Admiral Bowden-Smith (Great Britain).—Mr. President, may I point out to the Conference that perhaps these words "heavy rain-storms" have been left out purposely for the reason that when these very heavy squalls, all around, come up, they usually come for a few minutes, and before they come you can see a long way around you, and after they are gone you can see a long way. It usually does come down for about five minutes in bucketfuls, and as the honourable Delegate from Norway has said, you cannot see anything at all. You might as well turn your back as your face. But you have before seen miles around, and after the squall is passed you will see miles around. So it is possible these words have been left out purposely.

Mr. Flood (Norway).—That is the reason why I inserted the words from sunset to sunrise, because I thought that in the day-time you would see about you before a heavy rain-storm, but on a dark night you cannot see around you in these heavy rain-storms. I speak not of the southern latitudes and of the far western latitudes, but I speak of the waters that I have travelled over, in the North Atlantic. There the rain-storms will not only last for five minutes, I have seen them last for hours and for days.

The President.—The Chair understands that the Delegate from Norway wishes to amend Article 13 by adding the words "or during heavy rain-storms." The Secretary will read the amendment as the Delegate desires it to be.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall, in fog, mist, falling snow, or during heavy rain-storms, go at a reduced speed."

The President.—Will the Delegate from Norway be kind enough to inform the Chair whether he wishes it to read "at a reduced speed," or "moderate speed?"

Mr. Flood (Norway).—That makes no difference to me, Sir.

Mr. Goodrich (United States).—Mr. President, I see no difficulty in this. The Delegate desires to insert the words in the present Article, "during heavy rain-storms." I understand that his intention is to add those words to the present Article.

The question was put the Conference on the amendment, and carried.

Mr. Goodrich (United States).—Mr. President, I call the attention of the Conference to the fact that the same words can probably be inserted in Article 12. I ask the attention of the

Delegate from Norway to that before we pass from the discussion of that subject. Make the Article read, "In fog, mist, falling snow, or during heavy rain-storms." If it is desirable in one Article it should be desirable in the other.

Mr. Flood (Norway).—Certainly, Sir.

Mr. Goodrich (United States).—Then, Sir, move to add to Article 12, after the words, "fog, mist, or falling snow," the words "or heavy rain-storms," which have just been added to Article 13.

The President.—If there is no objection, the sense of the Conference will be taken upon the motion of the Delegate from the United States.

The motion was put to the Conference, and carried.

The President.—The question now is upon section (*b*) of extra amendment No. 1. The Secretary will please read it.

The amendment is as follows:—

"(*b.*) Every steam-ship with a maximum speed over 16 knots shall, in the vicinity of land or crossing frequented steam-lanes and fishing-grounds, under same circumstances, reduce her speed so as to be not over 8 knots."

Mr. Flood (Norway).—Mr. President, I will ask the favour of the Conference that this be postponed. There are so many different amendments already introduced and given in to-day, that I would ask that this stand over and be taken with them.

The President.—This is a very proper time to discuss it. The Chair can see no reason why it should stand over. We are discussing this amendment now; however, if the Delegate wishes it to stand over and makes the motion it will be put to the Conference.

Mr. Flood (Norway).—Mr. President, I would ask of this honourable assembly to let this stand over. I am dealing there with a definite number of knots and I do not wish to bring any number of knots in the Rule. That is my extreme difficulty. I would ask again and again that this should stand over until the other amendments are brought up for action, and a chance given us to talk the matter over. I am still hoping that an amendment to Article 13 will be brought before this Conference so worded as to leave out all reference to the number of knots or the speed. I am in favour of allowing this to stand over.

Dr. Sieveking (Germany).—Mr. President, I beg most seriously to support what the Delegate from Norway has just suggested. An amendment has been offered only this morning which deals with this very same question as to whether or not there is a certain limit which should be assigned to the speed of a vessel, a certain limit at sea, and in crowded channels, &c. It will be quite impossible to deal with these questions without having all of the amendments together. It would confuse the discussion a great deal. At the same time I may point out that the amendment proposed by the German Delegation, extra amendment No. 22, bears on the principle, as the Conference will remember, and is therefore different from this. It might establish a principle, if it were adopted, which would dispense with going into further details. Therefore I think it would be better to postpone this amendment until the other amendment can be considered.

Captain Saldanha da Gama (Brazil).—Mr. President, I believe it is a matter to be considered by the Conference as to whether it is proper or improper to place a limit on what the moderate speed is to be. If the Conference settles beforehand this matter, I think the amendment would be very easily disposed of.

Mr. Hall (Great Britain).—Mr. President, I certainly think it is very undesirable that we should follow the suggestion which has been made to us by the Delegate from Norway. Of course we will postpone this amendment, if the learned Delegate from Norway is not ready to discuss it now. But really, if we are going to postpone the discussion of these amendments because an amendment has been handed in this morning, we may be put in exactly the same position by some Delegate handing in an amendment the next time we meet, so that we shall go on for ever in that way. I think, myself, that it is most important that we should determine the principle as to whether or not we should assign a limit, either a maximum or a minimum limit, of speed. I think that is a matter well worthy of very considerable discussion. I think it is a most important point to discuss. If we decide upon that, then our decision may possibly affect some of these amendments. But at present, if we postpone the amendment of the Delegate from Norway, what are we do with these other amendments which we have to consider? We discussed this for a whole day on Tuesday, and practically for the whole of to-day, and I should think the Delegates certainly were able to form in their own minds some opinion as to what their views are on the subject.

The President.—The question now is, whether this amendment shall be postponed for future consideration. It occurs to the Chair that, if it is postponed, it will be well to appoint some time when it shall be taken up for future consideration.

Captain Saldanha da Gama (Brazil).—Mr. President, I believe that my motion was about the postponement of that question.

The President.—What motion does the Delegate wish to make?

Captain Saldanha da Gama (Brazil).—Mr. President, the motion that the Conference would settle beforehand the principle of Article 13.

The President.—The motion before the Conference is the motion of the Delegate from Brazil, to consider the principle of speed as contained in Article 13.

The motion was put to the Conference, and carried.

The President.—The Conference will now proceed to the consideration of the principle of speed, as contained in Article 13. That subject is now open for discussion for its final settlement.

Dr. Sieveking (Germany).—Mr. President, I would like to suggest whether it would not be advisable, under the circumstances, to put to a vote the amendment of the German Delegation, which I think bears upon this principle alone. I do not think there is any amendment printed, so far as I

have observed, which bears upon the question of principle. The only amendment which deals with the principle, so far as I can see, is the amendment of the German Delegates. Would it not be desirable to bring that to a vote?

Mr. Hall (Great Britain).—I would point out, Mr. President, that there is an amendment which has escaped the attention of my learned friend, the Delegate from Germany, that is, extra amendment No. 40. That expressly proposes a maximum speed in fog, mist, and falling snow, to be fixed by the Conference.

Dr. Sieveking (Germany).—Mr. President, I would like to say that extra amendment No. 22 is in order before extra amendment No. 40.

The President,—If there be no objection, the Conference will proceed to the consideration of Article 13, extra amendment No. 22, in order to arrive at the question as to the principle of speed as contained in Article 13. The Secretary will please read the amendment.

The amendment is as follows:—

"Article 13. In a fog, mist, or falling snow, every ship, whether a sailing-ship or steam-ship, shall, besides taking all other precautions required by these Rules, or by the ordinary practice of seamen, so far moderate her speed as is consistent with her own safety, and under the circumstances of the case necessary, to prevent risk of collision. When a fog-signal is heard ahead, or on either bow, and it is impossible to ascertain the position of the vessel giving such signal, the ship is to be stopped at once. And when it is safe and practicable and necessary to prevent a risk of collision, ships in a fog, mist, or failing snow must lie-to or anchor."

Dr. Sieveking (Germany).—Mr. President, this amendment, as it will be observed, consists of three parts, which may be kept separate from each other. One part of it has been disposed of already. That portion of it providing that, when a fog-signal is heard ahead or on either bow, and it is impossible to ascertain the position of the vessel giving such signal, the ship is to be stopped at once, has already been disposed of. I think, therefore, that I need not say a word about that part of the amendment.

There remain the other two parts. I think it would be advisable to keep them separate also, not only in the discussion, but also in the vote upon this amendment. So, with your permission, I will take the liberty of making a few remarks only with regard to the first part of the amendment. This part was discussed at great length on Tuesday, and I shall not repeat what has already been said on behalf of the German Delegation. I only want to add a few words. The object of this amendment, as I have explained before, is to put a more adequate term in the Rule instead of the words "moderate speed." We intend to frame the Rule so as to make it intelligible, plain; to make it clearly understood that the words "moderate speed" are not to be taken in an absolute sense, but in a relative way so far as maximum speed is concerned, so that the words may not be taken "to moderate her speed," that is, to slacken her maximum speed. We want to prevent this misunderstanding, and give expression to these words in conformity with the interpretation of the words given to the present Rule by the Courts of Great Britain, the United States, and Germany.

Now, it has been said against this, that it was quite unnecessary, because the interpretation of the Courts, or the Judgment given by the Courts, was known to every sailor. That is a matter about which I would say a few words. I cannot agree to that. Not only not every sailor, but not every master mariner will be so thoroughly acquainted with the rulings given by the Courts as to know fully the precise decisions upon them. There can be no doubt about that. In addition to that, the Courts of other countries differ from the Courts of Great Britain and the United States and Germany with regard to the interpretation of the wording of this Rule; so that there is not only a misunderstanding among sailors, and among the most experienced and intelligent sailors, but also there is a diversity of opinion among lawyers and amongst the most able Judges. I am informed there has been a decision given by a French Court to the effect that a vessel went at a moderate speed, so as to comply with the law, when her maximum speed was 16 knots an hour and she was going at a speed of 14 or 14½ knots an hour. This single fact, I think, is sufficient to prove that the Rule, as it stands, is subject to very serious and very dangerous misunderstanding.

Now, in fact, what we all agree to is this, that the Rule must be taken to be relative—that is, it must be interpreted so that it will say: "Vessels in thick weather have to reduce their speed to a moderate speed, according to the circumstances, so as to enable them to prevent collisions." If I could say something new to support this it would be by referring to what we have just now resolved upon, as to including the words "during heavy rain-storms" in Article 13, and what has been so ably pointed out by the Delegate from Norway. We have resolved to say that during heavy rain-storms every vessel must go at a moderate speed. It has been pointed out that in the Pacific that would be a very heavy charge on ships where they know that there is no vessel meeting them; because they know that they are in a track where there are no other vessels, or because before the rain-storm started in, they had seen that there were no other vessels in the vicinity which they could approach during the storm, which usually lasts only a short time, so as to involve risk of collision.

It is quite clear that if we leave the Rule as it is, every ship during heavy rain-storms is to go at a moderate speed; and the learned Delegate from Hawaii is quite right in saying that it would be a hardship; and if the Rule were absolute, the master who did not do it, if justice were done and the law enforced, would be fined. I think everybody will agree with me that that cannot be the meaning. Therefore, we must make it clear that the behaviour of the master must be in conformity with the circumstances during foggy and thick weather. Some suggestions have been made as to the wording which has been used. Some of the words might be objected to, but nevertheless the principle might be quite a sound one. But because these objections have been made to the words, I shall try to simplify the amendment so as to make it quite clear that it only deals with the principle. It has been stated by the learned Delegate from Great Britain that the words "besides taking all other precautions required by these Rules" are surplusage. They certainly are. They are quite unnecessary.

Article 24 is quite sufficient to say what is emphasized by these words, and they were put in only with the intention of impressing seamen with the responsibility upon them during thick weather. Now, I think it is quite clear that if any one objects to these words because he sees that they are superfluous, and for that reason votes against the amendment, that he would not touch the very question before the Conference. He might agree to the principle, but say, "I cannot vote for the amendment, because these words are in it to which I do not agree." Therefore, in order to avoid such a possibility, I beg to eliminate these words. I beg the liberty, with your permission, of telling the Conference how the wording will be which I propose to put to a vote. It has been further objected that the words "as is consistent with her own safety" are not proper. I explained before what was the meaning of those words. I said that we cannot compel a captain to reduce the speed so far as is necessary to prevent a collision if by so doing he incurs the danger of being driven on a strand or rock by the current.

On the other hand, I fully agree that the wording might be subject to misinterpretation by men who are not very conversant with the interpretation of laws. It might give rise to the argument: It is necessary for me to consider my own safety and the safety of my own vessel, and, therefore, I go at full speed, because otherwise I might be run into. I think that the words might be safely omitted, because every Court would say that this Rule must be construed reasonably, and that what is not possible—and it would not be possible for a vessel to lessen her speed beyond a certain degree, if she would thereby incur the risk of being driven on a rock by the current—every Court would consider to be a sufficient excuse, because what is not possible cannot be compulsory.

Finally, I have been told that an objection might be made to the words "prevent risk of collision," because if a collision is prevented but not the risk of collision, then the master would be liable according to the amendment as proposed, and he would have to be fined. Of course, that is not the meaning of the amendment. It is very important to have the question of principle decided by the Conference. Therefore, with your permission, I beg to put it in plain words. We see the present wording of the Rule is: "A ship in a fog, mist, falling snow, or heavy rain-storm (it does not say whether the fog is thick or not) is to go at moderate speed." That cannot be understood otherwise by the master mariner than that he is to reduce his speed. He does not know how far. He only says: I have to reduce my speed.

That is the meaning which is attached to the Rule by common sense, as it stands at present. But it is not the true meaning of the Rule. The true meaning of the Rule is that he must act as a cautious man, taking the circumstances into consideration. On the one hand he is allowed to go at full speed when the fog is not thick enough to prevent him from seeing another vessel at a sufficient distance to avoid her without slackening speed. On the other hand, if the fog is thick, or in a heavy rain-storm, the Rule would require a reasonable man to go at a more reduced speed than he would have to go in the other case.

Therefore, the point is whether we shall say that he is to so far moderate his speed as under the circumstances of the case is necessary to prevent risk of collision, or whether we shall stand by the words "moderate speed." So I beg to propose a vote on the first part of this amendment, in the following words, which is not materially altering it, but just eliminating some of the words which are now before the Conference. I do not think there will be any obstacle in putting this to a vote. We propose to have the first part of it read as follows:—

"In fog, mist, falling snow, or heavy rain-storm, every ship, whether a sailing-ship or a steam-ship, shall so far moderate her speed as under the circumstances of the case is necessary to prevent a collision."

The President.—The amendment of the Delegate from Germany will be read.
The amendment is as follows:—

"Article 13. In a fog, mist, falling snow, or heavy rain-storm, every ship, whether a sailing-ship or steam-ship, shall so far moderate her speed as under the circumstances of the case is necessary to prevent a collision."

Mr. Goodrich (United States).—Mr. President, the practical difficulty which presents itself to my mind under this proposed amendment of the learned Delegate from Germany, whether it be the original amendment or the amendment which is now suggested, is this: The very fact of this Conference making a change in any Rule creates a presumption in the mind of the sailor and in the minds of the Court that something different is intended from what was intended in the old Rule. I think that is all the more true when you come to change an expression such as it is desired to change by this amendment. The Courts have ruled as to what "moderate speed" means. As was well said the other day, this is not a question for a common sailor to determine. It is a question to be determined by the master mind of the ship. It is the master mind which regulates the speed of the ship, and not the mind of the common sailor.

Now, whatever interpretation the words "moderate speed" may have received by the Courts, every master sailor and every officer knows, or can know. If you attempt to change the words "shall go at moderate speed" to the terms used by the learned Delegate from Germany, that "the vessel shall moderate her speed," the Court at once says: What was the object of the Conference in making the change? What new benefit is expected to result from it? What case have they excluded from the operation of the act, or what new limitation have they put upon the words? When is it the duty of the steam-ship to moderate her speed? I think this is a danger which the Conference had better carefully consider before they make any change in this Rule, because, even at the risk of troubling the Conference with what has been already discussed, I will say that the words "moderate speed" have received interpretation at the hands of the Court in numerous cases, and that the Courts have

construed the words in accordance with the circumstances of the case under consideration. In a broad and unfrequented ocean, like the Pacific, what would be moderate speed would be immoderate speed in a fair-way on a frequented route in the North Atlantic. I only suggest that I see no very positive benefit from these words, which I have no doubt have been carefully considered by the learned Delegate from Germany. I suggest that it is very dangerous for us to alter this Rule without the most careful consideration.

Mr. Hall (Great Britain).—Mr. President, I do not propose to occupy the time of the Conference at any length, especially after the very lengthy observations which I thought it my duty to make on Tuesday last with regard to this question; but I would like to say one or two words with regard to the remarks which have been addressed to us by the learned Delegate from Germany. He stated that on Tuesday last some of the Delegates had made the statement that every sailor knew what the meaning of "moderate speed" was. I have yet to learn from any sailor at this table or in this room that there is a single officer in the Mercantile Marine or in the Royal Marine or in the United States' Marine who does not know perfectly well that if he is in a thick fog it is his duty to proceed as slowly as is necessary to avoid danger, and that he must take precautions to prevent danger. I also pointed out on Tuesday that although they know this to be their duty a great many of them do not do it. We cannot prevent that. I apprehend that common sense will tell the sailors that as well as any Rule.

I remember that this was pointed out by a very learned lord in our House of Lords, which is our ultimate appellate tribunal, when the matter of moderate speed was being discussed, he said: After all there is nothing very peculiar with regard to the law of going at moderate speed in a fog. Take a cabman. What cabman would attempt to drive down the street as fast as his horse would take him in a dense fog? If he did he would be very much to blame. He is bound to proceed with his cab carefully, and if he does not, and runs into other vehicles, then he would be liable and would have to pay damages." So, I apprehend that every prudent sailor knows perfectly well that, in fact, it is his duty to navigate his vessel at a moderate rate of speed; and it is, I say, the very use of the word "moderate," which complies with all the conditions that may possibly arise.

The learned Delegate from Germany has referred to a case in the French Court where a rate of 14 knots an hour was held to be moderate speed. No one knows better than he that the value of a decision can only depend upon the circumstances of the case. We do not know what the facts were; we do not know what that vessel was doing; we do not know where she was; we do not know how far ahead she had been able to see five minutes before; whether she was in a heavy tide-way; whether she was in the neighbourhood of rocks. We have no information about the facts, and unless we know the facts, an isolated decision like that really cannot assist us at all in considering this matter.

The learned Delegate has pointed out that we have had added the words "during heavy rain-storms," and says that these changes show the necessity of having some definition. I cannot agree with him. I think the words "moderate speed" the most applicable to such a case. It will depend upon the distance a man can see in a heavy rain-storm how he is to moderate his speed. It is possible a rain-storm may come on when he is able to see 5 miles ahead of him, just two minutes before the rain commences, and under those circumstances he will have to moderate his speed, having regard to what he has been able to see previously.

Now, I will deal with the wording of the amendment which is before us. I venture to think that this is much worse than the existing Rule, and I will show the Delegates why. What is the captain to do? Because the way to test a Rule is to put yourself in the position of a captain who is navigating a vessel? I would like to know where a captain stands if a collision takes place in a fog, in which his vessel is concerned, under this proposed amendment.

He has broken the Rule at once. By this Rule he is bound to so far moderate his speed as will prevent a collision, and if a collision occurs has he done that? Certainly not. He has broken the Rule. I merely point this out to show the difficulty of framing a Rule to define all the circumstances which may arise, and to show that on the strict interpretation of this amendment, the moment a collision has occurred the captain would be told, "You have broken the Rule. You have not moderated your speed as is necessary to prevent a collision, because a collision has taken place."

Again, take a sailing-vessel. Suppose a sailing-vessel is only going as fast as is really sufficient to give her steerage-way, and she comes upon a vessel in a fog. Can she moderate her speed? I venture to think it might be very difficult. Then she would have broken the Rule, because she has not moderated her speed so as to prevent a collision. These things only show the great difficulty of trying to frame a Rule which will comprehend every possible case, and it is for this reason that I think the words as they exist now are better than anything we have got as yet. By all means let us examine any suggestions made to improve that Rule, if it be possible, but I cannot help thinking that we shall find it difficult to find words which will improve upon the present Rule. I certainly cannot accept this amendment as an improvement upon the existing Rule.

Mr. Flood (Norway).—Mr. President, I beg permission to answer the question directly addressed to the sailing-masters, as to whether they do not know the meaning of the words "moderate speed;" and I will answer on behalf of my colleagues. Having had experience in hundreds of these cases in my present position, I can assure you that the mariner knows very well what is meant by moderate speed, and would go at moderate speed in foggy weather if he only were allowed to do so; but there is somebody always behind. There are behind, the rich owners and the wealthy monopolists, giving their captains orders to go as quick as they can. One owner has a lot of vessels, and he can get ever so many captains, and when the poor captain is going at a moderate speed, he is very often going at the risk of a loss of position. The rich banker wants to get into New York a few hours beforehand, to be able to transact his business on the exchange. He knows, or thinks that he is comparatively all right, and has no regard for the vessel ahead, upon which there are hundreds whose lives are worth as

much as this. I want these men told what moderate speed is; do not leave it to the poor captain to stand his chances or be handled in the Courts.

Mr. Goodrich (United States).—Mr. President, may I ask the learned Delegate from Norway what is the difference in the practice of sailors and the precautions which should be thrown around the masters of ships in obeying the law, under the proposed amendment, over and above what there is under the old Rule? A master would find just as much difficulty if we use the words "shall moderate her speed" as if we used the words "shall go at a moderate speed." For the life of me I cannot see the difference between these two phrases. The owner says to the master, "Go ahead and get to New York," in the eloquent language of the Delegate from Norway, "in seven days." He will do the same thing under the words "moderate your speed." What difference is there in the protection which is accorded to the master?

I am free to say that, with some little knowledge of the English language, I fail to see that any man will get any better understanding of the duty of the master in command under the proposed amendment than he would under the old Rule; and I do see this difficulty which I have already suggested, that the Courts, when they come to construe this question, are going to say: What did the Conference mean? You have changed a well interpreted and well understood phrase, "shall go at moderate speed," for another phrase, "moderate your speed." What is the difference? What new duty is imposed upon the ship? What old liability is taken away from her? Wherein is the difference?

Then we have to go through a whole series of twenty years' construction of the words "moderate her speed." Any man can discover, if he runs through the cases, what "moderate speed" is, and, as was said a moment ago, every gentleman at this table knows what "moderate speed" is. Every sailor knows what moderate speed is. It is moderate according to the circumstances of the case. The Courts have so construed, and common sense says that is what it means. We are going to meet great difficulty in the future if we attempt to alter this Rule.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

Mr. Verney (Siam).—Mr. President, it is said those who rush in where angels fear to tread have a very ignominious fate in store for them; and yet I wish to make an attempt to lay before this Conference, with regard to the matter which has been under discussion, certain words which bring this Rule into line with the most recent decisions of the Law Courts in Great Britain and other countries. With the fear of the learned Delegate from Great Britain before my eyes and the learned Delegate from the United States, I have brought into this room two books, weapons from the legal arsenals of the United States, which the learned Attorney-General of the United States most courteously put at my disposal. I do not intend to inflict any long quotations from these books upon the Conference to-day; but I have thought it right to present them here, so that it could not be said that the facts of the case were not before us.

Having made this short preface to my remarks, I desire at once to rush in and lay before the Conference words which I hope they will adopt, and which, so far as I can tell, embody the suggestions and which I hope are not in conflict with the ideas and opinions which have been expressed by the learned Delegate from Great Britain and the learned Delegate for the United States. The words are these—

"Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, so that, as far as possible, to prevent risk of collision."

Now, the learned Delegate from Great Britain said that, according to the amendment as proposed by the learned Delegate from Germany, a captain, whose ship collided with another ship, would be condemned in any case whatever. I thought that it was an extremely ingenious remark, and that according to the strict words of the amendment it would appear we must accept that criticism. But now I have tried to put in words which will show how that case may be eliminated. I only want the Conference to say that he shall go at moderate speed so far as possible, not so as to prevent collision, but so as to prevent *risk* of collision. Now, let me turn to the law of America and refer to a case which the learned Delegate from Great Britain knows perfectly well, because he was engaged in it, the case of the "Dordogne," in which case one of the most eminent Judges upon the Bench gives it as his opinion that this is the right interpretation of the Rule, that it is not only collision but *risk* of collision that must be prevented. And it was not only in one case in which he gave this as his opinion.

There is another case also in which my learned friend, the learned Delegate from Great Britain, was engaged, the case of the "Beryl," in which Lord Justices Brett, Bowen, and Fry, three of the most eminent Judges on the English Bench, all united in giving that explanation to the Rule which we have been discussing this morning, and it will be seen that we have in these three Judges a combination of opinion which it is well for this Conference to most carefully consider, and if possible to accept. We have heard very high compliments paid here to the English Judges and the English Bench by the Delegates from other countries. I have listened with pride to these compliments, and we know they are well deserved. I would submit to this Conference that with a consensus of opinion and interpretation upon the Rule, which we have been discussing this morning, by these learned Judges, we might do worse than adopt it.

I will now only quote one or two passages from the words of these learned Judges themselves on this point. I will take first the case of the "Dordogne," which was in case of a fog. The learned Judge says this in the opening of his Judgment—

"In cases where vessels, whether steamers or sailing-vessels, find themselves in a fog, they must be held strictly to the Regulations for preventing collisions at sea. As I said in the "Beryl," the Regulations are made, not for the purpose of preventing collision, but for preventing *danger* of collision."

Now, I will hand this book to my learned friend, the Delegate from the United States. Now, if you will allow me for one moment, I will refer to this case of the "Beryl," and will read again what Lord Justice Brett says.

"I take it that the basis of the Regulations for preventing collisions at sea is that they are instructions to those in charge of ships as to their conduct; and the Legislature has not thought it enough to say, 'We will give you Rules which shall prevent a collision'; they have gone further, and said, 'For the safety of navigation we will give you Rules which shall prevent *risk of* collision. It is not enough for you to do only that which will apparently prevent a collision; we will give you Rules which shall regulate your conduct not merely for the purpose of preventing a collision, but for the purpose of preventing *even a risk* of collision.'"

I will now quote another dictum of the same learned Judge on the following page:—

"Another rule of interpretation of these Regulations is, the object of them being to avoid risk of collision, that they are all applicable to a time when the risk of collision can be avoided—not that they are applicable when the risk of collision is already fixed and determined." Then he goes on to refer to Article 13, and calls attention to it as follows: "That Rule, in my opinion, like all the others, applies more particularly to the moment before the risk of collision is constituted and exists. It is at a time when the action of both steamers is such as to involve risk of collision. At that moment of time, if what they are doing involves risk of collision, they are both to slacken their speed. It applies to each of them.

"But it may be said that the condition of things before the moment when the risk of collision is constituted is such that the slackening will not avoid that risk of collision and that it requires another manœuvre, namely, that of stopping and reversing, and then they must stop and reverse, either one or the other or both. That, again, is an instruction as to the conduct of men, and it cannot be that they are to do that thing merely because it is proved afterwards that there was a risk of collision or if there was a risk of collision about to be constituted. It must apply if the circumstances are such that an officer of ordinary skill and care would be bound to come to the conclusion that if the ships continued to approach each other there would be a risk of collision."

That Judgment was supported, as I said before, by Lord Justice Bowen and Lord Justice Fry. Now I venture to hope that the Conference will agree with me in one thing, and that is that the amendment I propose is free from one of the worst of vices that a draftsman can fall into, that is the vice of originality. There is no originality in it. It is taken from the law decisions of three of our eminent Judges. Therefore I hope that it will be considered as coming not from me, but from Judgments delivered in the highest Courts in Great Britain.

I will now say one word with reference to what has fallen from the honourable Delegate who represents Norway. I feel very deeply what he said about the pressure which is brought to bear by the travelling public and by people who think of nothing but a few hours' speed. What do we desire to do? Everyone of us wants to bring pressure to bear upon those people. We want to say that these Rules shall be so interpreted as to prevent risk of collision. If we mean that, why do not we say it? I am sure that all of us shall agree that in all these Rules what is meant should be expressed exactly.

I handed up this morning a very long amendment, but which will be very short when you come to inquire into the principle of it. I wish to strike out of these Rules once and for all what I consider mischievous words, namely "involve risk of collision," and I wish to substitute these words, "prevent risk of collision." I wish to do that all through these Rules. I venture to suggest that it would be advisable for this Conference to lay down, as strongly as we can lay it down, that we wish to avoid the risk of collision, and that it is the determination of this Conference to do all they can to prevent the risk of collision; but I wish to use words which are abreast of and in consonance with the recent decisions of the Court.

Mr. Hall (Great Britain).—Mr. President, I really would not have ventured again to take up the time of the Conference on this subject if it had not been for the speech which has just been delivered. The learned Delegate has referred to some cases in which he says I was engaged. I will only say that I remember those cases very well. The case of the "Beryl," from which he read at length, was a case in which there was no fog whatever. I think it would have been more pertinent to the point if the learned Delegate from Siam had told us one single dictum of any single Judge to show that this term "moderate speed" should be defined. If his research had gone a little further he would have found dicta of the most eminent Judges showing that "moderate" is a relative term which cannot be defined in all cases. We are now occupying time trying to do that which nobody has been able to do, and we look with anxiety upon any proposal to do it. Until we find the solution of the problem, I think it would be very much better to adhere to the present words.

Mr. Verney (Siam).—Mr. President, I quite agree with the learned Delegate from Great Britain that it is impossible to define accurately these words, Neither Dr. Sieveking, nor I, nor any other Delegate, has laid before the Conference as yet even an attempt at such a definition.

Dr. Sieveking (Germany).—Mr. President, I would like to make a few remarks only in reply to the argument which has been brought forward against our amendment by the learned Delegate from Great Britain, because if these remarks were not replied to, a reader of the Protocol might think that they could not be refuted. I think there is nothing easier than to refute them. The first

argument was this: It has been said that, according to the amendment as it now reads, the master of the ship would be liable, and that he would be considered to have infringed the law if merely a collision occurred. The single, simple circumstance of the fact that a collision has occurred would show a violation of the Rules——

Mr. Hall (Great Britain).—I did not say that that would be decided, but that it would be open to argument.

Dr. Sieveking (Germany).—I am glad to take from what has just fallen from the learned Delegate from Great Britain that if he occupied the seat of a Judge he would not himself say that this argument was a sound one. In fact, it cannot be considered to be a sound one. The argument would come to this: Let the master mariner bring down in a fog the speed of his vessel to the minimum rate; let him bring his vessel to rest in the water, and if a collision occurs because another vessel, through gross negligence runs into her, then the master who has stopped his vessel would be liable for not having complied with the law. Of course in such a case every Court would say that he has done whatever was necessary as far as reducing speed was concerned. He has done whatever was necessary to prevent a collision. But a collision has been caused by the negligence of the other side. So I think that the meaning is quite clearly laid down.

This embodies what has been laid down by the Privy Council. I do not know whether there is any higher authority than the Privy Council. The House of Lords might be; but the Privy Council, I believe, has decided a greater number of cases, and so what is said by the Privy Council I think might be taken to be the highest authority; and they say this: "It may safely be laid down as a Rule on all occasions, fog or clear, light or dark, that no steamer has a right to navigate at such a rate that it is impossible for her to prevent damage, taking all precautions at the moment she sees danger to be possible; and if she cannot do that without going less than 5 knots an hour, then she is bound to go at less than 5 knots an hour." Now, the second objection is, what is to be done with sailing-vessels? They are put in quite the same position by the law as it exists. It is said that "Every vessel, whether a steam-ship or a sailing-ship, must go at a moderate speed."

Now, I want to refer to what has been said by the learned Delegate for the United States. He has said that the Courts would say: "Why have you altered that Rule?" The reply to that would be very simple. We would say: "Look at our Protocols if you want to know our reasons, and there you will see that our reasons were that we only wanted to express what you have said." I might ask, I think, with much more reason, the contrary question. If this amendment were rejected, the Courts would say: "Why have you rejected what we have said again and again to be the law? You must have attached another meaning; if so, what was your meaning? You do not express it; but you reject our interpretation, and therefore the meaning of the Conference must have been different from ours."

Mr. Hall (Great Britain).—Mr. President, I do not know what the practice is in Germany, but no Judge in England could or would look at the Protocol. He has to take the Rule as it has been decided upon, and he cannot read through the Protocols to see our arguments for and against the Rule. That course would be quite the opposite to our practice in England, whatever it may be in Germany.

Mr. Goodrich (United States).—Mr. President, differing a little from the practice of the English Courts, it is not infrequent for our Courts to look at the Protocols. My friend from Germany says that in looking at the Protocols the Court might say, "Why does this Conference refuse to define the term 'moderate speed?'" The reason is very plain. Because the Protocols will show that the Conference deem the words "moderate speed" have already been sufficiently interpreted by the Courts. The answer is very simple. The argument has been made here that these words are well defined, and that it will open up a new course of legal investigation if this Rule should be adopted in the form proposed; the whole thing will still be in confusion.

If we find here in this Conference so much difficulty, with the presence of eminent counsel from Great Britain and Germany differing, as they seem to do, upon the necessities of this case, if we, having the assistance of nautical men of great experience in the navy and marine service, are unable to define the difference between going at moderate speed and moderated speed, what shall the sailor do? What shall the educated sailor do; and what shall the Courts do? It seems to me that we ought to still adhere to our Judgments and to our decisions upon this question, to the effect that moderate speed means moderate speed under the circumstances. I agree with the learned Delegate from Germany that by the decision of the Court to which he called attention a moment ago, moderate speed means the lowest rate of speed at which a vessel can avoid a collision or avoid the risk of collision. We have got an interpreted phrase; do not let us go to one which we find difficulty in understanding, and which the sailors and the Courts will have equal difficulty in interpreting.

Mr. Carter (Hawaii).—Mr. President, I think it is apparent from this discussion that there is not a very wide divergence in the desires of the different Delegates. The desires of the Delegates are on the same line with this Rule, which either is to stand as it now stands, or be amended so as to more clearly express the intentions of the original Rule. As the learned and courteous Delegate from Germany explained to me before lunch, the intention is to bring it into harmony with the decisions of the Courts, to emphasize the decisions of the Courts so far as this Conference may do so.

Now, on Tuesday last, I opposed any alteration of the Rule, because it seemed to me that it was unnecessary; but the introduction of the words "or heavy rain-storms" in the Article, it seems to me has now rendered it wise and prudent that there should be some modification, and I would submit to the very courteous and to the learned and gallant Delegates from Germany, that a wording of the kind proposed in that amendment would not emphasize the decisions of the Courts, and would not express the idea which they wish to express. But I think that adding

the words "having special regard to existing conditions and circumstances," would fully express all the suggestions which have been made, and would fully meet the suggestions made by the learned Delegate from Siam.

I think that these words, "having careful regard to the conditions and circumstances," would bring to the mariner's attention the dictum of the Courts that he must be careful. It is a careful regard, not a careless regard, of the existing conditions and circumstances. The term "conditions" would include the weather, the density of the fog, and all the meteorological conditions which surround it. The term "circumstances" is a flexible term. It would take into consideration the condition of the ship, the position with reference to various dangers or obstacles in the ocean, as for instance, a vessel navigating the Pacific knowing that there was a rock or island near by not very definitely laid down upon the Chart, and wishing to pass it in daylight, would, if necessary, have a reason for not reducing her speed, which a vessel in better known water would not have

Therefore, the terms are flexible; and they are at the same time imperative that the regard which the mariner should have, shall be a careful regard to the conditions and circumstances of the case. I submit this with great diffidence to the Conference. I think it would be desirable that we should arrive at a conclusion. And I submit to the German Delegation whether these words do not cover the ground of their amendment. If so, I would be very much pleased if it should be accepted by them as a substitute for that which they have placed before the Conference.

Dr. Sieveking (Germany).—Mr. President, I am very much indebted to the Delegate from Hawaii for his proposition, which I think we will be able to agree to. I prefer the original wording of the original amendment as proposed by us, but eventually we would agree to this, because I think it is still better than the existing Rule. I want to say that in my opinion, and in the opinion of the German Delegation, the better wording would be that proposed by us; but we think that this is a better wording than that of the existing Rule.

Mr. Carter (Hawaii).—Mr. President, I would simply like to say that the learned Delegate from Great Britain has signified that the Delegation from Great Britain would agree to this, and that I had a partial understanding with the learned Delegate from the United States. I think when the Delegations from Great Britain, Germany, and the United States have agreed upon this, that the other members of the Conference will feel that it will add very much to the arguments which have been adduced in its favour.

Captain Saldanha da Gama (Brazil).—Mr. President, I beg the pardon of the Conference for speaking French; it is because I express myself better in that language than in English. I think that in this whole discussion we are constantly running around a circle. I admit that the learned Delegates of England, Germany, and the United States say that the question turns on the use of the word "moderate;" for my part, it seems that it can be used both as a substantive and as a verb; that is to say, "moderate speed" and "to moderate speed." I think that those two words must be regarded from those two stand-points. The only thing to be made precise is the speed at which steam-vessels can go to prevent as much as possible the risks of collision. I ask that the Conference declare itself upon the principle; that is to say, whether the Conference wishes to retain in the Article, in whatever language it may be couched, the words "moderate speed" or "to moderate speed," or whether it desires to make precise the maximum speed at which vessels may navigate in a fog. I think that is the whole question.

Mr. Hall (Great Britain).—Mr. President, the honourable Delegate from Hawaii has told the Conference that Great Britain is prepared to support this amendment. I will only say this, they adhere to the opinion that the words "moderate speed" are better than the words suggested. It is not necessary for me to repeat that in our opinion "moderate speed" means moderate with regard to the circumstances of the case; but as this appears to be an amendment which will meet the views of several of the Delegates who think it is desirable to put something in the Rule to point to the circumstances of the case, we shall not oppose it. We think it is a fair compromise, under the circumstances, although, as I say, we do not think the words necessary; nevertheless, we are perfectly willing to support them so as to meet the wishes of the Conference.

Dr. Sieveking (Germany).—Mr. President, after what has fallen from the learned Delegate from Great Britain, I beg to declare on behalf of the German Delegation that we accept the amendment which has just been brought forward by the Delegate from Hawaii. As I said before, we should prefer to have our own amendment carried; but I think that it is of such importance to have the support of the Delegates for Great Britain in this matter that I hope the vote by the Conference will be a unanimous one. As I said before, we do not attach much importance to the wording, but only mean to have the principle expressed. The principle is expressed in very nearly the same way as we intended to express it; and if we could arrive at a unanimous vote on this question, we think it would be of the highest importance. Therefore, on behalf of my colleagues and myself, I beg to adopt this amendment instead of ours.

The President.—Does the Delegate from Siam accept that?

Mr. Verney (Siam).—Mr. President, I must accept that in lieu of the amendment which I have presented, but it does not meet the case.

Captain Richard (France).—Mr. President, my gallant colleague of Brazil having made a proposition which nearest approaches the proposition which I made yesterday to the Conference, I have the honour to support this amendment.

Lieutenant Vega de Seoane (Spain).—Mr. President, I had the honour to present a proposition to the Conference a few days ago. This proposition asked the Conference to indicate the maximum speed which a vessel should attain in a fog. I think that it would dispose of the difficulty with which we are now labouring if the Conference would mark the maximum speed which should be used in a fog—a maximum which would be entirely different on the high seas from what it would be in frequented parts and narrow waters. This amendment would dispose of the matter.

The President.—If there is any proposition from the Delegate from Brazil, will he be kind enough to give it to the Chair in writing?

The Chair will take the sense of the Conference upon the proposition made by the Delegate from Hawaii.

Mr. Carter (Hawaii).—Mr. President, I take it that as it has been accepted by the Delegate from Germany, that it should be their proposition.

Dr. Sieveking (Germany).—Mr. President, our proposition as amended by the Delegate from Hawaii.

The President.—The proposition of the Delegate from Hawaii as a compromise for the various propositions made by the Delegate from Germany and the Delegate from Siam, is the subject for consideration. The Secretary will please read it as it now stands.

The amendment is as follows:—

To add to the present Rule, Article 13, the following words:—

"Having careful regard to the existing conditions and circumstances."

The President.—Is the Conference ready for a vote upon that question?

The question upon the amendment of the Delegate from Hawaii was put to the Conference, and carried.

The President.—Does the Chair understand the Delegate from Germany that he now wishes to consider the last paragraph of his amendment?

Dr. Sieveking (Germany).—If you please, Sir.

The President.—The Secretary will please read the last paragraph.

The last paragraph of the amendment is as follows:—

"And when it is safe and practicable, and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

Dr. Sieveking (Germany).—Mr. President, this is merely an example, not a special case under the Rule. The Rule is not a new one, but follows the authority of all the highest Courts. I have quoted already the decision of the British Courts; also the Supreme Court of the United States. The Supreme Court of the United States has said that a steam-ship must lie-to if she is in a fog in a crowded path, so that she cannot go ahead so as to have steerage-way upon her without danger to other vessels.

There are also the words inserted in this amendment, "at anchor." That particularly refers to cases where vessels are in a river. The Rules, as we intend to frame them, are to apply to all inland waters connected with the sea, and where seagoing vessels ply. I think nobody will object to this, for I think that in a river, when there is a dense fog, there is nothing in the way of a vessel coming to anchor, if the fog is so great that she cannot be allowed to proceed with safety. But even this has been questioned. I state, from my own experience, when I relate one case of ships near the mouth of the river, and upon a broad fair-way where two vessels were lying at anchor in a very thick fog. The fog clearing up a little one of them weighed anchor and proceeded. Then the fog set in again, very dense; but the vessel, nevertheless, continued on her course. The other vessel remained at anchor, and the vessel proceeding struck the vessel lying at anchor.

I think that under those circumstances everybody will say that the vessel which proceeded, although the fog had become so dense again that it was dangerous to proceed, was alone to blame, and that no blame should attach to the vessel that remained at anchor. Still it has been decided in a different way. The Rule as it stands has been interpreted to mean that they are to go at moderate speed. They are *to go* at moderate speed. The vessel proceeding went at moderate speed, but the fault was that she proceeded at all. It was said that the Rule did not prescribe that. The Rule only says that she shall *go* at moderate speed, so that the Rule allows her *to go.* I think that the decision was not a just one; but the fact that such a decision has been possible under the existing Rule proves conclusively that it would be very useful to give a clearer expression to it. According to the wording we have adopted, this doubt will not be entirely removed. We have said—

"In a fog, &c., every vessel shall go at a moderate speed, having careful regard to the circumstances and conditions of the case."

That would not remove the interpretation that she is allowed to go at a moderate speed, although she must have regard to the circumstances of the case. On the other side, I think it quite clear that if it is not safe or practicable to lie-to or to anchor, of course that cannot be required, and a vessel cannot be compelled to do that which is not safe and practicable. If she must have steerage-way upon her in order to avoid imminent danger, she cannot lie-to, and it is not always practicable nor is it always safe to anchor, for example, in the open sea or ocean. I think that we ought to make the Rule more explicit, so that it would not be subject to any such misunderstanding as this, and to say, "When it is safe and practicable, and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or come to anchor."

Mr. Hall (Great Britain).—Mr. President, although I think it is very desirable that we should impress upon sailors the duty of proceeding with every care and caution, it is pointed out to me that if we were to pass such a Rule as this, the mail-steamers, for instance, could not carry the mail between Holyhead and Dublin, because frequently there is such a dense fog. Take the case of a paddle-vessel. Paddle-vessels can proceed in a fog very much more rapidly than screw-vessels. When a vessel is in a fog so dense that it is not safe for her to proceed, I apprehend that common caution requires her to bring-up or to anchor, and that is in accordance with the decisions in our Law Courts, as, I apprehend, it is with the decisions of the Courts of the United States, from what I have read.

I confess, myself, that I think it is somewhat difficult for us to alter this Rule, because there does happen to have been a decision which does not seem to comply with the ordinary common caution of seamen or the recognized rules, certainly, of a great many Courts. I cannot help thinking that even this suggested Rule must depend upon the density of the fog. You cannot say that a man in fog, mist, or falling snow is to lie-to or come to anchor, because it must depend upon whether the fog is so dense as to make it unsafe for him to proceed at all. That must be a question of degree. I cannot help thinking that the difficulty of my learned friend will be obviated to some extent by the additional words which have been added to the Article to-day. I think that every seaman will say that if he is in a place where he is liable to meet other vessels, in a dense fog, and it is dangerous for him to proceed, he ought to lie-to. We can only frame general Rules; and we cannot make Rules to apply to all circumstances. That, I think, is certainly a strong objection to altering the existing Rule.

Dr. Sieveking (Germany).—Mr. President, I am afraid I have not been fully understood. It is said that this amendment or this Rule would prevent the mail-steamers from going from Holyhead to Dublin. I do not think it necessary that mail-steamers should go under all circumstances, and I think nobody would, if the safety of other vessels required that they should not go, even although they are mail-vessels. It is said that there is no necessity for these vessels to lie-to, because they are paddle-wheel steamers and can more readily stop. That would be covered by the words "if it is safe and practicable, and necessary to prevent risk of collision." Then if the safety given by their being paddle-steamers is such as to make it quite safe for other vessels that the mail-steamers should proceed, although it is in a fog, of course there is no necessity for coming to anchor to prevent risk of collision. If it is said that the words which have been adopted just now—"going at moderate speed, with a careful regard for the conditions and circumstances"—meet this case, I think that, although these words cover a vessel moving, they do not include a vessel not moving. We say that a vessel is *to go* at a moderate speed, and then we say it is a duty which is incumbent upon her in a fog to go at moderate speed, having regard to the conditions and circumstances. But it would at once be said, and it would be a sound interpretation, this Rule which allows her to go having regard to the conditions and circumstances of the case, still allows her *to go* at moderate speed, and the Rule does not compel her to come to anchor. If it should be thought that this was implied in the Rule, as has been pointed out just now, still it is not so clear that this is the meaning, as is proved by what I have just said about the Judgment of the Courts.

The President.—Is the Conference ready for the question upon the concluding paragraph of extra amendment No. 22? The Secretary will please read it.

The amendment is as follows:—

"And when it is safe and practicable, and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

Admiral Bowden-Smith (Great Britain).—Mr. President, before this is put to vote, may I just remind the Conference that I think vessels do this if it is practicable and the circumstances of the case admit. I think if this amendment is passed it will produce a most extraordinary revolution, and I think it will be very hard and almost impossible to carry it out.

Mr. Goodrich (United States).—Mr. President, allow me to call attention to a single fact in regard to this amendment, and to ask the learned Delegate from Germany whether he has well considered the result of it. In the first place there is a verbal criticism. When we were discussing the amendment of the learned Delegate from Great Britain upon the fourteenth Article, the Conference will remember that the words "a sailing-ship when under way" were stricken out, and in place of the words "not under way" were substituted the words "at anchor." As I understood that discussion and decision, it proceeded upon the ground that the words "at anchor" meant a vessel which was hove-to, a vessel which was not attached to the ground.

Now, what is the reason of the double description, lie-to or at anchor? That is a criticism which I suggest. I think that the Rules had better be consonant with each other. I thoroughly agree with the learned Delegate from Great Britain, and I believe I speak the opinion of the Delegates from the United States, that while we think this amendment is a good one, we think we are encumbering the Rules with a lot of descriptions and definitions of particular cases which seldom arise and which are adding no strength to the Rules, which must be as short and clear as possible. I call the attention of the learned Delegate from Germany to this point. It is a well-known legal maxim that the inclusion of a particular case is the exclusion of certain other cases. If you define this, and this is included as a particular case under the Rule, what becomes of the other cases where there is equal danger and which you exclude from the Rule by the very fact that you have defined this particular case? I believe this to be the law as it stands now, or else the learned Delegate would not have proposed it. It is in accordance with his judgment upon the law, and I presume he has pronounced decisions upon this very question in accordance with the amendment which he has suggested.

The Delegates will understand that we are not opposing this amendment. It is a good one. The question is, what is the use of it? What is the use of putting it in the Rule when it practically is already in it? I understood the explanation of the learned Delegate from Germany with regard to the proposition of the learned Delegate from Hawaii, that the amendment included only ships in motion; but it seems to me that as soon as you come to the other Rule, namely, Article 23, which provides that in construing these Rules regard shall be had to the dangers of navigation and any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger, you have got the whole of these exceptional cases embraced. I am afraid that the addition of such a manifold lot of instructions and exceptions is going to destroy the very object of this Conference.

Dr. Sieveking (Germany).—Mr. President, with regard to the first remarks of the learned Delegate

from the United States, this Conference has decided, and there is no doubt about it, that a vessel hove-to is not a vessel at anchor; so I do not see how he can make such a criticism. Then, with regard to his other remark, I am fully aware that it is not useful or advisable to encumber the Rules with details, but if the details are important enough, I think they must be considered. We have accepted one insertion. We have considered the case of a vessel stopping, or of a vessel hearing a signal without being able to locate it, and we have ordered that vessel, if a steam-vessel, to stop her engine.

Now, that was a particular case. It could have been said just as well, it comes under the general head that you ought to go at a moderate speed, having due regard to the circumstances and conditions. Here the circumstance of her hearing a fog-signal without being able to locate it, would require her to stop her engine. I am quite sure that this falls under the general definition, and that it is not necessary to mention this particular case. The special case which I mentioned here is far more necessary, because it is quite clear that the words "to go at moderate speed" taken *verbatim*, do not include the Rule to stop the vessel's way altogether. To go at moderate speed means *to go;* and, taken literally, it does not cover the case where a vessel is *not* allowed *to go*. I think that is quite plain. I can but repeat that I think it is very desirable to mention just this case. It is of more importance than the other case which we have mentioned.

Admiral Molyneux (Great Britain).—Mr. President, there is another point in this amendment which I would like to speak about: the term "necessary to prevent risk of collision." I think you are putting a great burden on the sailor by putting that in. I do not think it is fair; for, after all, he must be the judge whether it is necessary. He has to exercise his judgment; and yet you go and pile these directions on him, and tell him he is to anchor and lie-to and all this sort of thing. You are taking the command of the ship out of his hands. A nervous man will say: "I am told to do this, and I must do it; I don't care; I am obeying the law." A bold man will say that he does not care a brass button about the law, and he will do as he chooses. Then, again, his ship is in a fog. He may be at sea, or he may be in a narrow channel. He looks at this Rule, and says: "I have got to lie-to, if it is necessary, to prevent a collision." Well, no man in a fog can say there is no risk of a collision. If there are two ships afloat on the ocean, you cannot say there is no risk of a collision, because you do not know where that other ship is. I do think you are putting a great burden on the captain of every ship in the world by adding these words.

Admiral Bowden-Smith (Great Britain).—Mr. President, may I supplement what has been said by my gallant colleague and point out to the learned Delegate from Germany and to the other Delegates that to anchor in a fog does not save collision. Last summer in the English Channel we had two most extraordinary collisions in a dense fog between a ship at anchor and a ship under way, and the ship at anchor sunk the ship under way. The ship that was at anchor was in a tide-way off Deal, and the ship under-way was coming along in a fog that was so dense that she could just see her lights, and on account of the tide the ship at anchor appeared to be moving. I want to point out that to anchor in a fog is no safeguard. We must leave these things to the discretion of the commander.

Mr. Goodrich (United States).—Mr. President, I want to make a simple suggestion, which has been made to me by one of the Delegates from the United States, and which is well worthy of the consideration of the Conference. If this Conference is to refer the result of their labours to the various Governments, it does seem to me that the more we overload these Rules, the more it adds to e possibility or the probability of the several Governments not adopting them. Practically, all the nations are agreed upon the present Code, and that agreement is only disturbed by the meeting of this Conference, which has aroused a different sentiment upon the matter. If you leave the Rules alone, as they stand, they will be adopted by all nations. If you add too much to them, they will be refused by some, and perhaps by all.

Now, Gentlemen, it is well for us to proceed with caution in this regard, because we want our labours to be successful, and to have their result adopted by the several nations. It is with that feeling in view that I am opposed to any unnecessary overloading of these Rules. Of course it is a little hard to tell where to draw the line between what is necessary and what is unnecessary. I yield, generally, to the conclusions of my learned friend, the Delegate from Germany, as to what is necessary and what is unnecessary in amending these Rules; but I do suggest to him whether it is worth while to take so much time in adding extra provisions to this Article when it is really provided for by what we have already done and by the condition of the Rules as they existed before we made any amendments to them at all.

Captain Saldanha da Gama (Brazil).—Mr. President, I see by the discussions, and especially by the attention given at this moment to the question by the Conference, the interest which is felt in it, and I venture to say that there is no question which has been submitted, or which may be submitted, which can to such an extent excite public opinion in general—and by that I do not mean only the maritime world—than the question of speed and the Rules which concern the speed of vessels in a fog. But, so far as concerns the Rules, I support the remarks of the honourable British Admirals, the distinguished Delegates from Great Britain; that is to say, that I do not agree entirely with that portion of the amendment proposed by the German Delegates, except in interior waters which are governed by special laws but not by general cases.

Mr. Carter (Hawaii).—Mr. President, I think that most of us have a very great respect for the conscientious efforts of the learned Delegate from Germany with reference to these precautions to prevent collisions. I think that the amendment which we have just accepted, however, covers the case. The original Rule never intended to compel a vessel to be always going and never to anchor or never to lie-to. It says a vessel shall go, that means a vessel going at all shall go at a moderate rate of speed. The addition which we have put to it, "having careful regard to the conditions and circumstances," makes it incumbent upon the vessel to have that careful regard. She is to go having that careful regard to the conditions and circumstances, and if she continues to go without regard to those conditions and circumstances she is violating the Rule, and she would be violating the Rule in

this case if it were unsafe and impracticable for her to go at all and she continued to go. She would then not be having careful regard to the conditions and circumstances.

Therefore, it seems to me that this becomes superfluous. Again, even if it were not superfluous, even if the Conference did not take that view of it, the word "practicable," it seems to me, destroys the efficacy of the whole clause; because, after all, who is to be the judge of what is practicable and what is impracticable? It comes back upon the master when it is to be decided whether it is practicable. He is to be the sole judge. Therefore, the question comes back again: "Did you have due regard, careful regard, to the conditions and circumstances in which you found yourself"? It strikes me that there is not the necessity for these words which seems to exist in the minds of some, and that in the introduction of them, especially the word "practicable," opens a wide field for discussion as to the motives and as to the judgment of the master of the ship. Certainly it is not the wish of this Conference to displace the master, as the sole commander of the vessel, to judge of the circumstances. Therefore, it seems to me that the amendment which has been accepted has taken away the necessity for this clause. If it has not taken it away entirely, it certainly has reduced it so far that it becomes a question as to whether it is wise to adopt it.

Admiral Nares (Great Britain).—Mr. President, may I point out that, on p. 3 of the Report of the Sound-Signal Committee, on which there were six seamen, they especially allude to the danger presented by a vessel at anchor in a fair-way. Of course we take a seamen's view of it. If the Courts decide that we are to anchor, I suppose we must anchor; but the seaman's view is expressed here where we allude to a vessel at anchor in a fog in a fair-way at sea as being in a more dangerous position, particularly while swinging around broadside, than she is under way.

Mr. Hall (Great Britain).—Mr. President, I should not have arisen if it were not for the fact that the learned Delegate from Germany has said that we were all agreed to the principle of this Rule, and therefore why should we not adopt it? I think we are all agreed as to what he stated at the outset of his remarks, that it is ordinary common caution for men, if they are in such a place as to be dangerous, if they be under way to come to anchor. But I cannot say that we are all agreed upon the principle of this Rule, because if the Delegates will look at the wording of this Rule I will endeavour to show them the position in which the captain of any vessel will be which, in misty weather, happens to get into a collision. What is the reading of this Rule? "When it is safe and practicable, and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

Now, take it on a misty day, the captain proceeds to sea and gets into collision. Will not the Courts say, "This was misty weather. It was your duty to lie-to or come to anchor. Why did you not do it? It was perfectly practicable." I am not now dealing with the word "necessary;" but when you say every time it is safe for a man to lie-to or come to anchor to prevent a collision, you would always be met with this argument, "You have been in collision; was it safe for you to come to anchor or lie-to? Was it practicable for you to do it"? If the master of the vessel answers "Yes," I should like to know what the result would be if an action is brought against him for damages?

Mr. Goodrich (United States).—Mr. President, will the learned Delegate from Great Britain think that I am doing an unnecessary labour in supplementing his words if I read a decision as an illustration of his argument? It is the case of the "Lancashire," which was a Liverpool and Birkenhead ferry-boat. She was running across in a fog, and she was held in fault on the ground that she had no right to be under way at all in such weather. If the learned Courts say that a ferry-boat has no right to be under way under such circumstances, what would be said of a steam-ship or other vessel proceeding through a crowded fair-way? The Judge says: "The question arises in this case whether it is proper and right in this ferry-boat to go deliberately across the river in such a fog of such dense nature as here described, and with a knowledge of these vessels lying in her track—or one of them in her track and the other nearly so—and also with the knowledge that one of them had, as she contends, an insufficient watch. It has been urged very strongly on the Court that, if this were not to be so, if the steam ferry-boat was to be delayed on account of the fog, the greatest possible inconvenience would ensue to the public. I have no doubt that it is very much for the convenience of the public that the ferry-boats should go in all weathers and at all times, but at the same time I cannot think it right to set the convenience of the public in competition with the possibility, or rather the probability, of injuring human life and greatly damaging property."

Now, if it is declared by the Courts to be ordinary prudence for a ferry-boat on a short trip, such as the trip between Liverpool and Birkenhead, to lie-to during foggy weather, can there be any question what would be the construction of the Courts in connection with the twenty-third Rule if the weather was so foggy that it was dangerous for a vessel to go on? The law now says she must lie-to, and if it is practicable she must anchor. If it is prudent for her to do so she must anchor. With great respect for the opinion of my learned friend, the Delegate from Germany, I think we are encumbering these Rules by these additions.

Dr. Sieveking (Germany).—Mr. President, will the learned Delegate from the United States be good enough to read a few lines further where the Court says: "The law in America, as to ferry-boats being under way in a fog, seems to be more favourable to the ferry-boat than that of this country, as laid down in the 'Lancashire.'" Then the Court refers to another case, in which it was held that a ferry-boat is not bound to stop running in a dense fog. I think there can be no doubt that for only one vessel to be at anchor is not safe or practicable. Then no vessel can be compelled to be at anchor, because if there are other vessels not at anchor, but proceeding, they may be a danger to the steamers lying at anchor. So a vessel would not infringe the Rule, as we propose it, if she were going on.

It might be said: "Was it not safe and practicable for you to lie at anchor?" The answer would be: "No, it was not safe nor practicable for me to lie at anchor, because in these waters we were running the risk of another vessel colliding with us." But where it is safe and practicable for all

vessels—and all vessels must come to a standstill—any vessel could lie-to or anchor. There is not the slightest danger for any one of them.

The President.—The question is upon the last paragraph of extra amendment No. 22. The Secretary will please read it.

The last paragraph of extra amendment No. 22 is as follows:—

"And when it is safe and practicable, and necessary to prevent risk of collision, ships in a fog, mist, or falling snow must lie-to or anchor."

Mr Goodrich (United States).—Mr. President, will you allow me to interrupt the proceedings to explain to my learned friend, the Delegate from Germany, why the Courts in America differ in their construction from the Courts of Great Britain. His retort to me was very beautiful, under the condition of things as they existed, and his response to me was very apposite, yet when I call his attention to this Rule it will explain to him the difference between the situation of things in England and in the United States. We have in existence in the United States a Rule under which ferry-boats cross rivers:—

"When steamers are running in a fog in thick weather it shall be the duty of the pilot to give a long blast on the steam-whistle, to be sounded at intervals not exceeding one minute. A steamer when drifting, or at anchor in a fair-way of other vessels, in a fog or thick weather shall ring her bell at intervals of not more than two minutes."

Therefore, in my judgment, ferry-boats on rivers are not governed by the International Rules with regard to running in a fog.

The President.—Is the Conference ready for the question upon the last part of the extra amendment No. 22, presented by the Delegate from Germany? The Secretary will please read the amendment again.

The amendment is as follows:—

"And when it is safe and practicable and necessary to prevent risk of collision, a ship in a mist, fog, or falling snow must lie-to or anchor.

The amendment was put to the Conference, and lost.

Captain Saldanha da Gama (Brazil).—Mr. President, I desire to present a Resolution:—

"*Resolved*,—That the sense of this Conference be taken as to whether the expression 'moderate speed' be adopted, or whether a maximum or minimum limit of speed of steam-ships in a fog be fixed."

The President.—The Resolution will be printed for future consideration.

The next amendment in order will be extra amendment No. 40. The Secretary will please read the amendment.

The amendment is as follows:—

"Every ship, whether a sailing-ship or a steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed, and a maximum of this speed shall be fixed by the Conference."

Mr. Hall (Great Britain).—Mr. President, we have an extra amendment for consideration before this. Extra amendment No. 1 precedes this, and also extra amendment No. 38.

The President.—Extra amendment No. 38 by the Delegate from the Netherlands is practically met by the proposition which we adopted yesterday.

Captain Van Steyn (the Netherlands).—I will withdraw extra amendment No. 38.

The President.—The next amendment in order is extra amendment No. 40.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, shall in a fog, mist, or falling snow, go at a moderate speed, and a maximum of this speed shall be fixed by the Conference."

The President.—That is the same in principle as the Resolution of the Delegate from Brazil. Extra amendment No. 40 is before the Conference for consideration.

Mr. Carter (Hawaii).—Mr. President, I think, after the interesting and useful discussion which we had on Tuesday and to-day, there has been drawn from the Conference already a pretty well accepted idea that it would be impossible for the Conference to place a maximum limit of speed; and we have decided upon a Rule that there shall be a careful regard to the circumstances of the case. That covers the whole question.

Captain Saldanha da Gama (Brazil).—Mr. President, I suppose that it is the idea of the Conference not to fix a limit of speed in a fog, but that it is not decided. It is just for that reason that I supported the motion presented this morning. This question might be decided, and if the amendment of the honourable Delegate from Spain is accepted we will know if we shall retain the generic words "moderate speed" or fix the limit of speed.

The President.—Extra amendment No. 40, Article 13, is now before the Conference.

Mr. Hall (Great Britain).—Mr. President, I do not think it is necessary to take the time of the Conference long upon this. I would have preferred to have heard opinions from the members of the Conference who are sailors, showing the utter impracticability of laying down any maximum rate of

speed. I apprehend that by the amendment which we have adopted here to-day we have added words which prevent the fixing of any such limit, providing that ships shall proceed at moderate speed, having careful regard to the circumstances and conditions of the case. I do not see how it is possible to lay down any maximum limit of speed in fog, mist, or falling snow. There may be mist, and a man might be able to see 1 mile or 1½ mile ahead of him. It must depend upon the density of the atmosphere and upon the weather.

Admiral Molyneux (Great Britain).—Mr. President, I would like to add one or two words as a sailor. I should say that it is not only impossible to lay it down, but I should say that it would be very mischievous to do it. If you lay down a maximum speed, say, at 10, 11, or 12 knots an hour, or something of that sort, it would be a permission to all the steamers in the world to go up to that speed. I think that would be a mischievous thing to do. I think it would be quite contrary to everything that we have been trying to do here. We are trying to moderate the speed, and not make them go faster. If we fix a maximum speed it must be a reasonably high rate. The majority of the ships of the world are not greyhounds; so that, for instance, 9 or 10 knots would give the ships perfect liberty to go at their full speed.

Captain Saldanha da Gama (Brazil).—Mr. President, I think that we are now prepared to decide the question. I am not disturbed as to the result of the vote. When it comes to a vote we will see on which side Brazil will vote. I agree entirely with the gallant Delegate from Great Britain that it would be very difficult to fix a limit of speed, because it would depend upon various parts of the world, and it is impossible to decide that question. Therefore all amendments which bear upon the limiting of a maximum speed must fall. We must now speak about the wording of the Rule.

Lieutenant Vega de Seoane (Spain).—Mr. President, permit me to remark that the object of my proposition is in no wise to mark a maximum of reduced speed on the high seas. The principal object of the proposition is to indicate the speed in certain ports where navigation is specially dangerous by reason of the great number of vessels which pass the frequented points. Moreover, my amendment will in no wise affect the recommendation concerning speed in Article 13. But I desire to avoid vessels eluding the law which directs them to diminish their speed in a fog. I have no intention whatever to interfere with the provisions of the Rule.

Captain Mensing (Germany).—Mr. President, the remarks which the honourable Delegate from Spain has just made would, of course, only apply to the faster ships, and not to those freight boats with no greater speed than 8 or 9 knots on an average. It would be hardest upon those ships which are the best found and the best manned, with all the apparatus on board to protect life, and it would be in favour of those that are built in the most simple way, where perhaps economy is chiefly looked after. It has been truly said that in almost every state of the atmosphere and in every fog vessels would have to slow down.

I do not know whether it is generally known how far these fog-belts stretch over the Atlantic, and what an impediment to navigation they are. I have, therefore, brought here the Pilot Chart of the North Atlantic, for August. Perhaps the gentlemen can see this red belt where the ships would have to go slow, say not above 10 knots. If the fog was a very heavy one they should have to come down to less than that. If this should be made a law it would have to be obeyed. I think there might be found men who would find difficulty in construing the words "mist or fog."

Captain Saldanha da Gama (Brazil).—Mr. President, excuse me for adding a few words in English. I believe that the amendment of the Delegate from Spain comes into my amendment, except in the first part. In our amendment we did not fix any limit for the speed. We only endeavoured to make it more clear and have it stated that there should be a difference in speed for a ship at sea and a ship in a crowded path.

The President.—Is the Conference ready for the question upon this amendment, extra amendment No. 40?

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or steam-ship, shall, in a fog, mist, or falling snow, go at a moderate speed, and the maximum of this speed shall be fixed by the Conference."

The amendment was put to the Conference, and lost.

Mr. Flood (Norway).—Mr. President, I ask permission to say only a couple of words. After what has been said to-day, and especially after the last vote on amendments Nos. 40 and 41, I ask permission to withdraw the rest of my extra amendment No. 1. I feel fully satisfied with what I have obtained. I say, God bless everyone who has spoken so nobly in favour of moderate speed.

The President.—The Delegate from Norway desires to withdraw subsection (*b*) of extra amendment No. 1. If there is no objection it will be withdrawn.

Mr. Hall (Great Britain).—Mr. President, I understand now we have cleared away all the amendments which we have in print with regard to speed in a fog, mist, or falling snow, or heavy rain-storms. But there is one further amendment of which the learned Delegate from Siam gave notice this morning.

Mr. Verney (Siam).—That does not refer to this Article.

Mr. Hall (Great Britain).—If that be so, I think we have finished Article 13, unless someone has a further amendment to offer.

Captain Saldanha da Gama (Brazil).—I have one, proposed this morning.

Mr. Goodrich (United States).—Mr. President, I suggest that we have that amendment read now, that we may see if we cannot come to a vote upon it and clear it away so far as this Article is concerned.

The President.—The amendment will now be read for the information of the Conference.

Mr. Tsukahara (Japan).—Mr. President, my amendment which I proposed this morning, bearing upon the question of moderate speed, I desire to withdraw.

The President.—The Delegate from Japan withdraws his amendment which he offered this morning to be printed. The amendment of the Delegate from Brazil will be read to see whether the Conference is ready to dispose of it now.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, in fog, mist, falling snow, or heavy rain-storms, by day or night, and to avoid as far as possible risk of collision, shall go, when on the open sea, at such precautionary speed as will be most advisable according to circumstances.

"When in narrow waters, fishing-grounds, and crowded regions in the vicinity of land, her speed shall be so far moderated as is consistent with the ship's own safety, and when the ship hears a fog-signal from another vessel, she shall reduce her speed to the utmost, or even stop her engines, until she has determined the location of such vessels, and to manœuvre or proceed accordingly."

Captain Saldanha da Gama (Brazil).—Mr. President, my idea in presenting this amendment was merely to point out the difference which exists, and even the dangers which may exist, between vessels crossing the high seas and those which approach regions where they are more likely to meet other vessels. I want to specify that under certain conditions these vessels must only go at a precautionary speed. But I know perfectly well that we cannot enter into too many details. I am familiar with the French proverb which says: "Si on regarde les détails on n'a jamais assez."

In regard to that portion of the amendment prescribing reduced speed, I approve it, because I would never dare to order a captain to stop his vessel. Sailor as I am, and I am an old sailor, I would never accept the Rule to stop entirely. In a fog it would be much easier for a steam-vessel with twin screws to avoid a collision by a simple manœuvre than by stopping the engine. That is why I approve of "reduced high speed." There are vessels which make but 14 revolutions and others which make 100. It depends entirely upon the opinion of each captain. But I ask that that portion be not stricken from the Article. That is all I have to say in presenting this amendment.

Mr. Goodrich (United States).—Mr. President, from the reading which I have given to the Article proposed by the gallant Delegate from Brazil, it seems to me that every provision which he has inserted in his amendment has already prevailed. For instance, his amendment in regard to heavy rain-storms has already been adopted. The second one is upon the way a vessel shall proceed with such precautionary speed as would be most advisable according to the circumstances. That is fully met by the amendment adopted as a compromise suggestion, made by the learned Delegate from Hawaii, where the words are used "she shall go at moderate speed, having careful regard to existing conditions and circumstances.

The same amendment, it seems to me, would cover the next proposition, namely, that in narrow waters, fishing-grounds, or crowded regions in the vicinity of the land, she shall so far moderate her speed as is consistent with her own safety. It seems to me that is also provided for in this amendment of the learned Delegate from Hawaii. Then, to go a little further, he provides that when a ship hears a fog-signal from another vessel she shall reduce her speed to the utmost or stop her engines until she has determined the location of such vessel, and to manœuvre or proceed accordingly. It seems to me that is met by the amendment passed on 12th November, that so far as the circumstances of the case admit, the vessel shall stop her engine and then proceed with caution until all danger of collision is over. With great respect to the gallant Delegate from Brazil I suggest that all his propositions have been adopted by the Conference. If this amendment should lie over till to-morrow then we shall probably get into a greater fog than we have already got into. I suggest to the gallant Delegate from Brazil that the Conference has really met every view which he proposes in this amendment.

The President.—Is the Delegate from Brazil ready to have his amendment considered now?

Captain Saldanha da Gama (Brazil).—Yes, Sir; I am.

The President.—The amendment will be read again.

The amendment is as follows:—

"Article 13. Every ship, whether a sailing-ship or a steam-ship, in fog, mist, falling snow, or heavy rain-storm, by day or night, and to avoid as far as possible the risk of collision, shall go when on the open sea at such precautionary speed as will be most advisable under the circumstances.

"When in narrow waters, fishing-grounds, and crowded regions in the vicinity of the land her speed shall be so far moderated as is consistent with the ship's own safety, and when a ship hears a fog-signal from another vessel she shall reduce her speed to the utmost, or even stop her engine, until she has determined the location of such vessel, and to manœuvre or proceed accordingly."

The amendment was put to the Conference, and lost.

Mr. Hull (Great Britain).—Mr. President, as we have now disposed of all the amendments which apply to Article 13, may I ask you to declare that Article 13 is disposed of; because there is a Resolution now with regard to no future amendments being attempted after an Article is disposed of. I ask you to declare that we have disposed of Article 13.

The President.—The Chair decides that Article 13 has been disposed of, and that no further amendments will be accepted except by a three-quarters vote.

The Chair desires now to know the sense of the Conference as to whether the amendment of the Delegate from Brazil should or should not be printed, it having been disposed of. If that is the sense of the Conference, it will be ordered that it shall not be printed.

The next business before the Conference will be the consideration of Article 15, amendment No. 55.

Mr. Hull (Great Britain).—Mr. President, I understand that amendment No. 55 is withdrawn.

Mr. Goodrich (United States).—Mr. President, I regret very much that necessity compels me to

withdraw this amendment. I think that it is just and proper, and that it eventually will prevail; but perhaps the time has not come when we should press its adoption. I therefore withdraw amendment No. 55.

The President.—The next amendment in order will be amendment No. 56, proposed by the Delegate from Great Britain.

Mr. Hall (Great Britain).—Mr. President, I will first of all state that we propose to somewhat shorten the proposed instruction. It is not an Article, as the Delegates will see. We propose to shorten it by striking out after the word "may" in the first line, down to the word "best" in the third line, and insert in place thereof "can when time permits." I will now read it as we propose it shall stand:—

"Risk of collision can, when time permits, be ascertained by carefully watching the compass-bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist."

I will point out that we are not attempting such an absurd labour as to define the words "risk of collision." That, of course, we are all agreed it is absolutely impossible to do. But we wish very much, and I will say that this opinion is strongly entertained by all of our sailors, and, I believe, by every skilled sailor of the seas, that it is a very important thing for a sailor, when he is in charge of a vessel and sees another vessel anywhere near him and wants to know what that vessel is going to do, to take the compass-bearing of that vessel. We wish to call the attention of sailors to the fact that the best thing for them to do is to take the compass-bearing so as to be able to ascertain what the vessel is doing. We think that this caution, for that is what it is, should be put at the commencement of the steering and sailing Rules.

I quite agree that it is undesirable to overload the Rules with more than is necessary; but all of these gentlemen of great nautical skill and experience have advised us that it is important to call the attention of the sailors to the fact that they ought to watch the compass-bearing of a vessel approaching them, when they are in any doubt about it. I think I may say that, with regard to the opinion of nautical men, there will be almost a consensus of opinion on that point. If so, then we think it advisable that these instructions should be put at the head of the steering and sailing Rules, so that the sailor will always have it present in his mind, and when he is put in a position of difficulty he will know that the first thing for him to do is to take the compass-bearing, if he has time. When a man has the time to do it, our sailors all say, take the compass-bearing. Then you know where you are and what the other vessel is doing. It is for these reasons that we advocate this proposal and submit this proposition to the Conference.

The President.—The proposition will be read for the instruction of the Conference:—

"Risk of collision can, when time permits, be ascertained by carefully watching the compass-bearings of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist."

Captain Salvesen (Norway).—Mr. President, I think it should be "when circumstances permit" instead of "when time permits."

Captain Richard (France).—Mr. President, there are sailing-vessels which are very small and which have not generally a crew which is sufficiently instructed to take this bearing without the assistance of the captain. The great difficulty which I would see in imposing this direction is, that in case of a collision the law will immediately condemn him because he had not taken this bearing.

Mr. Hall (Great Britain).—Mr. President, I will not detain the Conference. I will only point out that this will only apply to vessels that have the materials necessary for doing it. It is not a Rule. It is only a suggestion to mariners. It has been pointed out to me that it may be desirable to alter the phraseology of the last line according to the suggestion of the learned Delegate from the United States. But we could deal with that in the Collocation Committee, if the Conference see fit to adopt this.

The above instruction was thereupon put to the Conference, and carried.

The Conference thereupon adjourned until Friday, the 15th November, 1889, at 10 o'clock A.M.

Washington, Friday, November 15, 1889, 10 *o'clock* A.M.

The Conference met at 10 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The first business in order this morning is the eighty-sixth amendment, proposed by the Delegate from the Netherlands. The Secretary will please read it for the information of the Conference.

The amendment is as follows—

"Steering and sailing Rules, *when in sight of each other.*"

The President.—The amendment consists in adding to the heading the words, "when in sight of each other."

Captain Van Steyn (the Netherlands).—After consideration of my amendment, and studying it more closely, I find it better not to propose to insert these words in the heading, but to put them into

the other Rules which only apply to vessels in sight of each other. The difficulty is this: In the French text, in Article 16, are the words "*qui voit l'autre par tribord*," which have been translated in the English text, "has the other one on her starboard side." So in our Regulations we have the same word "has." If we put these words in every Article which applies to vessels in sight of each other, I think it would be better.

The President.—The Delegate from the Netherlands desires to withdraw "when in sight of each other" in the title, and to insert, after the words "sailing-ship," the words "in sight of each other." Is the Conference ready for that question?

Mr. Hall (Great Britain).—Mr. President, I hope we shall not come to a conclusion upon that without some little consideration. It is a very serious thing to alter these steering and sailing Rules, which all seamen agree are good Rules, and to which there are really no amendments. I must confess, myself, that I do not like the idea of altering them without careful consideration. I think that possibly the insertion of these words might make a loophole for men who are keeping a bad look-out to excuse themselves, and say: "Why, I did not have that vessel in sight. I did not see her, and therefore I was not bound to act." That is the way this strikes me. I certainly hope that we shall not go to a vote on this amendment, and make alterations in these Rules which sailors know by heart, and which it is important they should know by heart, because these are the Rules which seamen especially ought to know. I do not think we ought to alter them without careful consideration. I do not know how it strikes the other members of the Conference; but it seems to me that we must be very careful how we put in any words which might possibly give a loophole to a man to excuse himself, for instance, for not having a good look-out.

Mr. Goodrich (United States).—Mr. President, the same thought which has just been expressed by the learned Delegate from Great Britain has occurred to me; he has anticipated what I was about to say. I understood the gallant Delegate from the Netherlands to say that there was some difficulty or some difference in this Rule and the Rule that is adopted in the Netherlands.

Captain Van Steyn (the Netherlands).—It was in another Article, Article 16; but they belong to the same steering and sailing Rules.

Mr. Goodrich (United States).—Mr. President, I think this Article had better be laid over. I would suggest to the gallant Delegate from the Netherlands that this Article be laid over until the next meeting of the Conference, for consideration.

The President.—That would embrace the whole of Article 14.

Mr. Hall (Great Britain).—Mr. President, of course it would be desirable for us to postpone the consideration of the Article if we cannot discuss it now. I only rose to prevent the matter being put to a vote without its being discussed. I think, perhaps, that we might be able to discuss it now. By all means let it stand over if it is desirable; but my proposition, or, rather, my plea for delay in putting it to a vote, was merely to have it discussed, not to have it stand over. If any one could give us any good reason for inserting these words, I think it would be desirable to discuss and not to postpone it. For the present I must confess that I have not heard from him sufficient argument to make me think it necessary for us to alter these Rules, which are so well known.

Captain Van Steyn (the Netherlands).—Mr. President, I think that the heading of this Article 14 applies also to the following Articles, because they are all headed "Steering and Sailing Rules." Some of these Articles apply to both cases—for instance, Article 18.

Mr. Hall (Great Britain).—Mr. President, I apprehend that that would be a matter purely for the Collocation Committee, I take it that it is agreed amongst us that when the Collocation Committee deal with these Rules they will be grouped differently, and then, of course, the headings will be different. Then we shall be able to meet the difficulty. If the gallant Delegate from the Netherlands will give us a suggestion upon that point when we are sitting in the Collocation Committee we shall be glad to meet his views. That, of course, is merely a question of drafting, all of which can be submitted to the Conference. I quite agree that the headings will have to be changed, in consequence of the alteration of the Rules.

Captain Van Steyn (the Netherlands).—Mr. President, I accept that suggestion. I will hand it over to the Collocation Committee. I will move to refer it to the Committee on Collocation.

The motion was put to the Conference, and carried.

The President.—The next amendment is extra amendment No. 27.

The amendment is as follows:—

"Article 14 (*c*). In a fog a drift-net-vessel attached to her net and a vessel when trawling, dredging, or fishing with any kind of drag-net, and a vessel employed in line-fishing with her lines out, shall, at intervals of not more than two minutes, make a blast with her fog-horn, or ring her bell, or beat her gong."

Mr. Hall (Great Britain).—Mr. President, as this amendment has regard to small vessels and fishing-vessels, I think it would be advisable that it should stand over until we have the Report of the Committee on Lights for Small Vessels. Then we shall be able to discuss these Articles in their entirety.

The President.—Does the Delegate from China accept that suggestion?

Commander Chen Ngen Tao (China).—Mr. President, I quite agree to that. I find that my proposal is printed here twice. One is marked "Extra amendment No. 21." So I beg leave to withdraw extra amendment No. 21.

The President.—Extra amendment No. 21 will be withdrawn. The next amendment in order will be extra amendment No. 44. The Secretary will please read it.

The amendment is as follows:—

"Article 14. In order to prevent risk of collision the following Rules shall be observed:—

"*Sailing-Ships.*—When two sailing-ships are approaching one another one of them shall keep out of the way of the other, so as to prevent risk of collision.

"(*a.*) A ship which is running free shall keep out of the way of a ship which is close-hauled.

"(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

"(*c.*) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

"(*d.*) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

"(*e.*) A ship which has the wind aft shall keep out of the way of the other ship."

Mr. Hall (Great Britain).—Mr. President, I have not that amendment in print yet.

Mr. Verney (Siam).—Mr. President, if I might express an opinion myself I should very much prefer that this amendment be postponed until the members of the Conference have seen it in print, and have time to look it over.

The President.—It is not in order now. The next amendment in order is the sixtieth amendment to Article 16.

Mr. Verney (Siam).—Mr. President, Article 14 is not yet disposed of.

Mr. Hall (Great Britain).—Mr. President, extra amendment No. 44 has just now been handed to us. It is so very undesirable for us to go back to Rules that I would ask if we could not, perhaps, deal with this amendment now. We have it in print before us. It is very undesirable to go back to an Article after we have discussed it at considerable length merely to discuss one amendment.

The President.—The Delegate from Great Britain moves that we proceed with the consideration of extra amendment No. 44 now.

The amendment was put to the Conference, and was carried.

The President.—The Secretary will please read extra amendment No. 44.

The amendment is as follows:—

"*Steering and Sailing Rules for preventing Risk of Collision.*

"Article 14. In order to prevent risk of collision the following Rules shall be observed:—

"*Sailing-Ships.*—When two sailing-ships are approaching one another, one of them shall keep out of the way of the other, so as to prevent risk of collision.

"(*a.*) A ship which is running free shall keep out of the way of a ship which is close-hauled.

"(*b.*) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

"(*c.*) When both are running free, with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

"(*d.*) When both are running free, with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

"(*e.*) A ship which has the wind aft shall keep out of the way of the other ship."

Mr. Verney (Siam).—Mr. President, I wish to ask the Conference this morning to give their attention to a matter which appears to me to be a very important one. It may not be the best way of carrying out my intention, but I think my intention will commend itself to the members of the Conference, and that intention is to prevent the Rules from saying one thing and meaning another. So far as I am able to understand the decisions which have been given on these Rules as they now stand, the sailing Rules in one important particular either do mean one thing, or may be easily interpreted to mean one thing, and the thing which they do mean is something different, and different in a very important respect, from the decisions which have been given on these Rules. One object which I have, therefore, is to prevent the Rules from saying one thing and meaning another. The other object which I have in view this morning is to get the opinion of the sailors of this Conference as to what this Rule should mean, and then to ask the lawyers of this Conference to be good enough to put that meaning in such clear words that neither lawyers nor sailors nor any one else should have the slightest doubt as to what that meaning is.

Now, if the Conference is of the opinion that these Rules should apply as the highest Courts in England and in Germany have held they do apply—that is, before risk of collision is actually in existence—I want them to say so. I do not pin myself to these words at all. I merely propose this in order to bring this matter before the Conference. If any member of the Conference will be kind enough to substitute better words or a better form of carrying out that intention, I for one shall be very grateful. I only want to raise the principle, and I only ask the Conference to meet the object which I believe every member of this Conference has in view—namely, that no one of these Rules should go forth to the world as saying one thing and meaning another. The question as to what risk of collision means, we have already settled, cannot be accurately defined in any Rule, and we need not discuss it.

It may be said, and I think very truly, that you cannot possibly frame a Rule so as to indicate precisely the moment when risk of collision commences. So far as I am able to form a judgment at all upon that point, this does not appear to be possible. It is not my intention in these words to tie down either the seamen or any one else to any fixed moment as to when risk of collision commences. It is quite impossible to do that. What I think possible is so to frame our Rules that they shall not mean one thing on the deck of a ship and another thing when the sailor comes into Court.

One of the gallant Delegates from Great Britain was speaking a day or two ago as to the hardships that were imposed upon a seaman by putting too stringent language in the Rules and taking the command of the ship out of his hands. That is not the object of this amendment. I wish to leave

the full responsibility and chance for the seamen to exercise his judgment in critical moments; but it is much harder upon a seaman to say to him, here is a Rule which he is to interpret to mean one thing and then to bring that same sailor into Court and say, "You are quite mistaken; the Judges have decided that it means another thing, and we are going to judge you not upon the plain meaning of the Rule as the words stand, but we are going to adopt and use against you the construction which the Judges have taken of the Rule."

Now, in the words which I have selected, I have selected them because they are not my own words, they are the words of eminent Judges. I should extremely dislike to import a single word of my own into what has been so often and so justly quoted as a sort of gospel which the sailor is to know by heart in order to guide his actions at sea. I am very much against altering even the wording of these Rules. The members of the Conference will at once see that I have not touched in any way whatever the Rules themselves. There is not one single word altered here in the steering and sailing Rules. I should not for a moment think of doing so.

All that I ask the Conference to do is not to allow any of these Rules to go forth after being considered by this Conference, having one meaning on the face of them and which are to be interpreted to mean quite a different think when they are employed in cases which are brought into the Law Courts. It happens very often when Laws and Rules are made that the Judges gives their decisions upon them, and then, as the years go by, the construction of the Courts is really equivalent to fresh legislation. I will ask the Conference whether it is not so in the present case. I will appeal to the learned Delegates who are here present, with much greater experience than myself, whether the construction which has been put on these Rules does not amount, in effect, to fresh legislation in this matter; and whether this is not the time and the opportunity to embody that fresh legislation in the Rule.

Mr. Goodrich (United States).—Mr. President, these amendments having been so recently laid upon our table I am not prepared entirely to speak of their full meaning; but I can see that the suggestion of the learned Delegate from Siam entirely alters the purpose and object of this Rule, because, as the old Rule read, it said that where sailing-ships were approaching one another so as to involve risk of collision they should keep a certain course. But the learned Delegate alters that condition of affairs altogether, and says that when two sailing-ships are approaching one another—that is, whether in a position involving risk of collision or not in a position involving risk of collision—they shall keep a certain course. The object of this Rule as it stands in the present Regulation is simply to instruct sailing-vessels which are approaching each other in a position where they involve risk of collision. He entirely changes the meaning of this old and well-settled Rule.

A single other observation—the one which I have just made seems to me to be pregnant with danger for us to avoid— a single word in regard to fresh legislation as resulting from the decisions of the Courts. We said the other day, and the Conference adopted the statement, that where a Rule had been discussed by the Courts and decisions had been made under it, and the Rule had become well interpreted by the Courts and been well understood by sailors, there was no occasion to alter that Rule, because that interpretation had already become practically incorporated into the body of the Rule. That seems to me to be an answer to the last suggestion of the learned Delegate from Siam.

Mr. Hall (Great Britain).—Mr. President, I cordially agree in the observations which have fallen from the learned Delegate from the United States, and I hope the Conference will allow me to point out the very great inconvenience that will follow our proceeding with such a momentous proposition as this which is proposed at this late hour of the day. We have been sitting here for over a month, and there has not been any suggestion to alter these well-known words. They are perfectly well known to every sailor and every lawyer. We went through these Rules and had practically a first reading of them. There is not one single sailor or one single lawyer who has proposed to alter these Rules. There are propositions for additions, but there is not a single proposition to alter the steering and sailing Rules.

We have been here for over a month, and then my learned friend, after reading a case in the Law Reports, in which some observations are made about risk of collision, brings in a series of amendments which we have before us, which make a radical change, not only in principle, but in the wording of these Rules I do not want to occupy the time of the Conference in a discussion of the opinion of the learned Judge in the particular case which has been referred to. But those of the Delegates who are here, and who have had any training whatever in the law, will know that you cannot arrive at anything definite merely by reading a sentence or two of the Judgments in a particular case. You must read the whole case, and see what the Judge is talking about and what the principle is. I remember the case perfectly well from which my learned friend read yesterday, and what the learned Judge was doing there was to point out the imperative necessity of sailors acting as early as possible to determine risk of collision, and not to wait until the collision became inevitable. That was the point which the Judge had in view at that time. He was pointing out that sailors ought to act promptly when they saw the risk.

Is there any sailor here, or is there any lawyer here, who will say that he has any difficulty in understanding the Rule as it now is? It has never been suggested here. The old words are absolutely and perfectly well known. They have been acted upon for a great many years. Now there is a proposal to completely alter them. I have read through these amendments, and I confess, to my mind, they are not nearly as intelligible as the existing Rule, and it certainly changes the principle of that Rule.

Mr. Verbrugghe (Belgium). Mr. President, I believe that we should be very careful in changing anything in these Rules, called Sailing and Steering Rules. We have thought a great deal about the question that the Rules should be understood the same by the lawyers, the Judges, and the sailors. These Rules are known to every man who has been to sea and who goes to sea. They have been tested by most of us, and we may say that they are written in iron letters. I believe it to be the wish

at least of most of these honourable Delegates that no change should be made in them, unless the change is clearly for the better. Why should a ship go out of the way when the course that she is steering in respect to the course of another ship does not involve risk of collision? Such a change, I insist, would bring the mind of the sailor into perplexity.

Let me ask you to go back about twenty-five years, when the first Law, of 1863, came out. It was then what might be called the reign of porting the helm. I may state, although I can give at present no proof, that the way the Courts decided this Law brought in some principle of wrong, otherwise sailors would not have acted in the way the Courts interpreted the Rule. The sailor said, "If I do not port my helm the Court and the Judge will decide that I am in the wrong." It was for this reason that at one time some explanation was given of the decision in the case where two ships were meeting; it was held that they then only had to port the helm.

Let us be very cautious. Let us not change the Rule to meet any single instance or any one case in which a Judge has improperly applied the law, for on the other hand it has been very frequently properly decided. I can only affirm what has been stated by the learned Delegate from Great Britain. It is strange that we have all been preparing for a long time for this Conference, and have been discussing here for a month, yet not a change has been proposed to these Rules of the Road; and, so far as I am concerned, I may declare that I do not see any necessity for any change in this Article.

Mr. Goodrich (United States).—Mr. President, may I emphasize the pertinent and eloquent remarks of the learned gentleman by quoting from a Report which has been presented to this Conference and laid on our table this morning, from the Hydrographer of the United States' Navy, whose office is at the Maritime Exchange in New York. On p. 17 I find the following remarks, which are exceedingly pertinent to the situation of the proposed amendment to this Rule:—

"The present International Code of Laws provides for all the above cases at sea. Any change would tend to produce confusion and disaster. A change of these sailing Rules would be opposed by the vast majority of seafaring men, even if a better system could be suggested, for more ships and lives would be lost in the period of confusion before the old Laws were forgotten and the new Laws learned and applied, than would be lost in double the number of years under the present Code. It has taken years to educate the sailor to the present Code. It would take much longer to drop the old Rules and educate him to a new system; and during this period accidents would become more common, and consequently lives and property less safe than at present. No new Laws are needed, but some better system of enforcing the present Laws and instructing shipmasters in their use is greatly to be desired."

Mr. Verney (Siam).—Mr. President, I do not intend in any way to prolong this discussion. I have no doubt that I must be wrong in my opinion, and that the other gentlemen are right. I only wanted to raise the question. I bow to the decision which has been made against me, and withdraw the following amendments, because they are really the same, only they apply to different Articles. I desire to withdraw the amendment to Article 16, the amendment to Article 17, and the amendment to Article 18, so as to prevent the time of the Conference being taken up by reading the other amendments. I only desire once more to say that there was no intention whatever in my mind to alter the steering and sailing Rules, and the amendments proposed do not appear to me to do so.

The President.—Does the Chair understand the Delegate to withdraw the amendment under consideration?

Mr. Verney (Siam).—Yes, Sir; certainly.

The President.—The Delegate from Siam desires to withdraw the amendment under consideration, and also extra amendments Nos. 45, 46, and 47. If there is no objection on the part of the Conference they will be withdrawn.

The next amendment will be the sixtieth amendment, proposed by the Delegate from Sweden.

The amendment is as follows:—

"Amendment proposed by Captain Malmberg (Sweden) 22nd October, 1889:—

"Steering and Sailing Rules—all Vessels.

"Article 15. When a vessel, whether a steam-vessel or a sailing-vessel, meets another vessel towing, and there be danger of collision, the first-named vessel shall keep out of the way of the vessel towing."

Captain Malmberg (Sweden).—Mr. President, by inadvertence on my part this amendment is put under Article 15, to which it does not belong. I see there is an amendment by Dr. Sieveking on behalf of the German Delegation somewhat to the same purpose. I venture to propose that if my amendment No. 60 is taken up to-day, the amendment of the German Delegation shall be taken up at the same time, or my amendment be postponed and discussed at the same time with theirs.

Dr. Sieveking (Germany).—Mr. President, my other amendment, which has been referred to by the Delegate from Sweden, has just now been received. I think it would be well to postpone it, and give the members a little more time for consideration. Perhaps it would be well to have the discussion of this amendment postponed for a day or two.

The President.—Does the Delegate wish to name a day?

Captain Malmberg (Sweden).—Mr. President, I would suggest that it be postponed until the amendment of the German Delegation comes up to be considered.

Dr. Sieveking (Germany).—Perhaps until Monday will do.

Mr. Hall (Great Britain).—Mr. President, I wish to suggest to my learned friend that as this is

a new Rule and a new principle perhaps we ought to postpone the consideration of all new Rules and new principles until after we have finished the existing Rules.

The President.—If there is no objection that course will be adopted. The next order of business is extra amendment No 8. The Secretary will please read it.

The amendment is as follows :—

"*Two Steamers crossing.*

"Article 16. (*a.*) If two vessels under steam are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

"(*b.*) The vessel which, according to this Rule, must keep out of the way of the other shall change her course, or slow, in time to indicate to the vessel that is to keep her course how she proposes to keep out of the way."

Captain Shackford (United States).—Mr. President, I do not wish to take up the time of the Conference in discussing this amendment. It seems to me that it is merely a warning to sailors to exercise caution when they have to get out of the way of a vessel, and give their notice in time as to how they propose to act.

Mr. Hall (Great Britain).—Mr. President, perhaps the object which the Delegate from the United States proposes will be met, as I think he will see, by the proposal which is made by Great Britain and by other Delegations, to make the whistle-signals compulsory, so that a vessel which has to keep out of the way of another shall give a signal by whistle showing what she intends to do. The Delegates will remember that when we went through these Rules first of all, I pointed out that whereas the using of whistle-signals was now optional between two vessels, we propose to make it compulsory. I think the Delegate will see that that is even a more efficacious plan than the one he proposes here. As he says, this will merely be an instruction to sailors to act with caution and act in time, but if we carry our proposal, as I trust we shall do, we will make a steamer give a signal with her whistle to show what she intends to do; that is, a steamer that has to get out of the way. That would be practically carrying out the suggestion of the Delegate from the United States in, I think, a practical way. I do not know whether he agrees to this; but we think it is desirable that the vessel which has to keep out of the way should tell the other vessel what she is going to do, and we think the best way to do that is to make her give the whistle-signal, which at present is only optional.

Captain Shackford (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain if it would not be an improvement on his amendment to Article 19 to have some words inserted, that the vessel which is to keep out of the way of the other shall give the following signals on her steam-whistle, and that she shall give those signals in time, not wait, but give them at the proper time, so as to give the other vessel warning in which way she proposes to move out. If something of that kind were inserted in Article 13 I think it would cover it.

Mr. Hall (Great Britain).—Mr. President, that, of course, is a matter which we will discuss under Article 19. I am sure that we all agree that the whistle should be given in time ; but whether or not it is necessary to put that into the Rule of course we can discuss under Article 19. The Delegate of the United States will see that it is within the spirit of the Rule that such signals shall be given in good time or else it would be useless to give them. We will endeavour to see whether or not anything can be gained by inserting any such words under Article 19, in order to emphasize the duty upon the vessel which has to keep out of the way.

Captain Shackford (United States).—Mr. President, this was merely an Article, to prevent, as far as possible, close shaving. With the permission of the Conference I will withdraw the amendment.

The President.—The Delegate from the United States desires to withdraw extra amendment No. 8. With the consent of the Conference it is so ordered.

The next amendment is extra amendment No. 42. It is a new Article and will come up for discussion after the existing Rules are disposed of, under the ruling which has just been adopted. Therefore, the fifty-ninth amendment will be the next in order.

The amendment is as follows :—

"Every steam-ship which is directed by these Regulations to keep out of the way of another ship shall, on approaching her, slacken her speed if necessary, or stop if necessary, or reverse if necessary.

"Where by any of these Rules one of two ships is to keep out of the way the other shall keep her course and speed."

Mr. Hall (Great Britain).—Mr. President, perhaps the Conference will allow me, for reasons which may still be fresh in their minds, to ask that we shall be allowed to take Article 22, which is the Article as to the keeping-on vessel keeping her course, before we deal with the Article as to what two steamers are to do when approaching one another. I will tell the Conference shortly why we propose to amend Article 22 so as to enact that the holding-on vessel shall keep her speed as well as her course. It is clear that if the Conference should adopt that proposal, the Rule as to what two steamers are doing when they are approaching one another would have to be modified *pro tanto*; and accordingly I think the Conference will agree that it is better that we should first of all determine what is to be done by the steamer that is to keep her course before we attempt to determine what both steamers are to do when they are approaching one another. I do not know whether I make myself clear. It will be obvious that if we agree that one of two steamers is to keep her speed it would be folly to pass a Rule before we come to that, saying that she shall slacken her speed or stop

or reverse. Therefore, if we decide that she is to keep her speed we shall have to modify the general Rule as to what two steamers are to do when they are approaching one another so as to involve risk of collision.

Therefore I would ask the Conference to allow me to propose the amendment which we have given notice of, under Article 22, before we discuss the amendment to Article 18. I apprehend that there will be no difficulty on that point, because, as the Delegates will see in this fifty-ninth amendment, they are printed together so that the Delegates will be able to consider the bearing of one upon the other, and see at a glance what the change would be which would be necessitated if we were to alter Article 22. I therefore beg to move, formally, that we take the amendment to Article 22 now, and discuss the amendment to Article 18 next in order.

The President.—The Delegate from Great Britain moves to take up Article 22 now for discussion.

The motion was put to the Conference, and carried.

Mr. Hall (Great Britain).—Mr. President, I pointed out when I gave notice of bringing forward this amendment, the reasons which actuated the Delegates from Great Britain in making this proposal, and I will state them very briefly once more. This is a matter which, if I may say so, is essentially a matter for sailors. What we consider is this: That it is most important in modern times, for these very fast steamers, especially, when one steamer has to get out of the way of the other, that she should know what the other steamer is doing. We also consider it a matter of very great importance, and we are glad to find this same thought has crossed the minds of other Delegates to this Conference, that a steamer which has to keep out of the way should, when she can, do so by going under the stern of the other vessel, and not by trying to cross ahead of her bows.

Sailors will say at once: We think a vessel is to be encouraged to go under the stern of another vessel, and it is only fair to her that she should know that the other vessel is going to keep on. As it stands at present, the holding-on vessel is not bound to keep her speed, and the steamer which has to keep out of the way of her may find herself foiled in her endeavour to do so. Now, to make my meaning clear, suppose two steamers going along like that [*indicating*], and this one is to keep out of the way of the other. If he tries to go under the stern of this one, and this one slackens her speed, he runs into the very danger which he wishes to avoid; whereas, if he knows that this vessel, out of the way of which he has to keep, is to keep her course and speed, he knows it is perfectly safe for him to go under the stern of that vessel. Therefore, we say it is essential that these steamers, at night, should know what the other vessel is going to do.

The Delegates well know that until there has been time enough to watch a vessel carefully or to take the compass-bearings, it is very difficult to arrive at the actual speed a vessel is going, but if every sailor knows that the vessel out of the way of which he has to keep will keep her speed as well as her course, then he will know when it is perfectly safe to attempt to go under her stern, so as to avoid risk of collision. We have considered this very carefully and have taken the best advice we can obtain from nautical men and experts, and they inform us that this is a desirable course, because it enables the officer in charge of a vessel, upon whom the onus is cast of keeping out of the way, to know what the other ship is going to do, and leaves his hands free and enables him to take the very course which, I think, nearly all sailors think they ought to take, that is, to go under the stern of the vessel, when he can, out of the way of which he has to keep.

I admit that this is a serious change. I do not wish it to be considered a light question. I hope the Conference will consider it very carefully. We have thought, acting upon the best advice which we have had the benefit of receiving, that it is desirable that we should say to the vessel that has to keep her course, "Keep your course and speed, and if you do that, then it will enable the other vessel to take such steps as are necessary and prudent under the circumstances."

Dr. Sieveking (Germany).—Mr. President, I fully agree with what has been said by the learned Delegate from Great Britain, that this is a very material and a very serious question. Before I allow myself to give any opinion on it I would like to be informed by the practical sailors with regard to the experience they have had on the subject. It appears to me that the question has very great doubts. As the Rule at present stands, the vessel which has to keep out of the way is at liberty to do so in whatever manner she likes, according to circumstances. She may slacken speed; she may cross the bow; or she may go astern of the other vessel. It is not intended to alter that, only advice is to be given, which, I think, is quite the correct thing, and a very good thing, as a rule, to cross astern of the other vessel, and not to try to cross the bow.

Of course, there may be cases where it is necessary to cross the bow, as, for example, where the proximity of a third vessel makes it unsafe to go astern. So, we could not take it as a rule that in all cases the vessel which has to keep out of the way of another vessel should go astern. We must consider both the possibility of her crossing the bow and her going astern. It is proposed to make it compulsory on the vessel which has to hold on to also keep her speed. That imposes upon her two duties—not to slacken her speed and not to increase her speed. It is a principle which I think is firmly established, and which is a sound principle, and which ought not to be abandoned or weakened in any way, that this Rule given for the holding-on vessel is to be observed with the utmost stringency. The Rule is taken, and it has been taken by the Courts always to be a particularly stringent one, and for the very obvious reason that confusion would occur and dangers would be greatly increased if there were not a certainty that the vessel which has to keep out of the way can take it for certain that the other vessel is to act in such and such a way. Therefore, it has often been said that the holding-on vessel must comply with this Rule to the very last moment of danger, and it is only in the moment of immediate danger that she is allowed to depart from it. So I think it would have to be taken if the Rule that is proposed were adopted, to compel the vessel not only to keep her course but also to keep her speed.

Take the case where the keeping-out-of-the-way vessel is by circumstances obliged to try to cross the bow of the other vessel. The holding-on vessel, by being obliged to keep her speed, and being forbidden to slacken her speed, would certainly be brought into even a more painful situation than she is in now; being aware that the other vessel is trying to cross her bow, she would still have to keep her speed and so diminish the distance between the two vessels, except in the very extreme case where *immediate* danger is to be avoided; then she would be allowed to slacken her speed. Take a case a little more complicated. Take, for example, the keeping-out-of-the-way vessel which at first tries to cross the bow, and then afterwards sees that that is not, perhaps, the safest way, and then tries to go another way, to go astern, or *vice versâ*. I believe that it would impose a duty on the holding-on vessel which would be a very severe one.

It has been said, I believe, by one of the English Judges, that this Rule, as it stands now, compels the holding-on vessel to go on with a laughing face into the very jaws of death. She would have to go even more heartily into danger if the Rule says that the vessel is not only to keep her course but is also to keep her speed. Certainly this matter must be considered. There may be some doubts about the expediency of the Rule, and I ask myself if experience has shown that collisions have occurred in consequence of the holding-on vessel having either slackened or increased her speed. Of course, if she sees that the other vessel intends to go astern, to increase her speed would only tend to diminish the danger of collision. Why forbid it? If she sees that the other vessel is intending to cross her bow, to diminish her speed would diminish the danger of collision. Why forbid it?

Now, it might be said that it is very important for the keeping-out-of-the-way vessel to know that the other vessel is to keep her course and keep her speed. That would be true only, so far as I can judge, if in fact the speed of the holding-on vessel were one of the elements of calculation necessary to decide the manœuvres of the keeping-out-of-the-way vessel. I think it might be possible that if the Rules, as they are now, are properly carried out, it might be said this is not an element of calculation for the keeping-out-of-the-way vessel; because, if the Rules are carried out according to the spirit of them, I am sure every one will agree with me in saying that it is necessary for the keeping-out-of-the-way vessel to manœuvre so as to leave the way free for the other vessel in time, not only in time to avoid a collision, but, as far as possible, in time to avoid even the risk of a collision. Close shaving is to be avoided. If that is true, then the keeping-out-of-the-way vessel will have to commence her manœuvres at a great distance. She ought to manœuvre so as to leave a good fair-way for the other vessel. If she intends to go astern she ought not to go close astern; but in all cases where she can, that is to say, where she sees the other vessel in time, she ought to so far turn from her course as to leave ample room between her and the stern of the other vessel. If that is the case, I think the speed of the other vessel is not such an element of calculation so important that it must be laid down as a rule that the holding-on vessel shall keep her speed.

These are my doubts with regard to this amendment: On the one hand, it would put on the holding-on vessel a very painful duty; on the other hand, it intends to give greater safety to the manœuvring of the keeping-out-of-the-way vessel. Which is the greater advantage and which is the greater disadvantage? That is the question which appears to me doubtful. Therefore, I should be glad if I could be assisted in forming an opinion on this subject, by hearing from the experienced seamen whom we have here to assist us, whether, in fact, it is necessary to have such a Rule as will bind the holding-on vessel to keep her speed; or, in other words, whether cases of collision have occurred, and frequently occurred, where the change of the speed of the holding-on vessel has been a eason for collision, without fault, of course, on the side of the keeping-out-of-the-way vessel.

On the other hand, if their experience has been to the contrary, I would like the seamen to tell us whether in their experience it has happened or has not happened, that by their slackening or ncreasing speed, the holding-on vessel has avoided a collision. I think experience ought to guide us in this respect. If I were to speak without having been told anything about the experience upon this Rule, I think it would be very doubtful, and rather more than doubtful, if the new Rule would be an advantage. If there is a doubt only, then in my mind it would be dangerous to alter the present Rule. The idea has been expressed by others, and with me, generally speaking, that the steering and sailing Rules are, so to speak, a touch-me-not. They can be touched only if there is very grave reason for it. Therefore it is, if it is not shown that this is a very great and necessary improvement, that in a case of doubt, I should incline to say, "Let it stand as it is." I would be very much obliged to hear from the experienced seamen as to what their experience has been upon this question.

Lieutenant Beaugency (Chile).—Mr. President, in amendment No. 66 I have proposed that a ship shall not cross the bow of another ship in motion where there is risk of collision; but if extraordinary circumstances require that it be done, then the ship crossing the bow of the other shall be responsible for the consequences. I would say that in our Navy it is A, B, C, with us never to cross the bow of a ship in motion, but to cross it astern. I know, in my own short experience, of two cases which I can point out to you, where the risk of collision was very great, because one steamer attempted to cross the bow of another ship in motion. I was on board of one of our iron-clads, and we got in the line of an English mail-steamer on the Pacific coast. She said, "Come alongside of me and I will talk with you." The captain attempted to cross the bow of our ship and was very near coming into collision with us. In our Navy we never have seen a case of collision, because we never cross the bow of a ship in motion. I expect some of the other gentlemen in the Conference, with greater experience than I have, can explain the question better.

Mr. Flood (Norway).—Mr. President, may I be allowed, as a sailor, to say something about this Rule. I must say that I have never been a steam-boat captain and I have never worn any uniform except the oil-skin. I will only state what I know by experience. I think it is very dangerous to put this question of speed in our amendment. I think that if I could frame the Rule, I would say that it would be better to the contrary, and I would apply this Rule to sailing-vessels as well as to steamers. Gentlemen, how fast would I have to go to avoid a collision, with my vessel on the starboard tack, when I saw another vessel attempting to cross my bow? I would slacken her speed

instead of going at full speed. I may ask the learned Admiralty lawyers here present if it is not often asked, when two vessels are in collision, how did the vessels keep on the starboard tack; how were their sails? I think that the vessel which has the right of way is to help as much as possible, in case of an emergency, to avoid a collision, and not to go right into the lion's mouth.

Gentlemen, only last year I went as a passenger on a big ocean-steamer. Six miles off Sandy Hook, on a fine starlight night, a few minutes after 8 o'clock, we ran into an East Indiaman, or a vessel coming from Calcutta. We ran into her. We tried to cross her bow, and if that vessel had not helped us—we had 139 passengers in the cabin—we most likely would all have been at the bottom. We struck that vessel and sprung her frames, on a starlight night, because we tried to cross her bow. She gave way, for if she had kept on we would have crossed her at right angles, and there would, perhaps, have been none of us saved. I think this is a dangerous Rule, and I should very much wish that somebody more able than I am would indorse what I have said. I would like to have it stricken out.

Mr. Goodrich (United States).—Mr. President, I think the Conference has already expressed its opinion by various votes in favour of compelling the privileged vessel to notify the burdened vessel of all the conditions under which she is going; and to give not only that notice, but to give it early, so that every element of certainty may be received by the other vessel, as to the course, movement, and speed of the privileged vessel. If we turn to the law upon this subject, and I think it is in the case of the "Beryl," in which the learned Delegate from England was counsel, we find that the Court said:—

"In regard to this Rule as now existing, keeping her course means that she is to keep on in the same direction as before. It has nothing to do with the question of speed."

I am informed by—and my friend will pardon me for saying it—the most eminent Admiralty lawyer in the United States, who is now present in this room, that he was recently engaged in a case in the District Court of New York, where this very question came up, and the Court held a vessel in fault—a steam-ship—for not keeping her speed. That case is now on review. The Conference will therefore see that, as the decision stands, there is a difference as to the construction of the present Article between the decisions of the Courts of Great Britain and the decisions of the Courts in the United States, as to whether the words "keeping her course" involve the necessity of keeping her speed. I am inclined to think that if it were not for these decisions there would be a doubt in the mind of any sailor, and in the mind of any lawyer, as to the duty imposed upon the vessel of keeping her course, as to whether it did not also involve the necessity of *continuing* her course, which involves the question of keeping her speed. That is a doubt which, it seems to me, should be removed.

I think, as the learned Delegate from Germany said, that this puts the holding-on vessel under a painful duty. Why this element of uncertainty? Can we remove it? Can we make the Rule clear? Yes, if we add these words, because then the varying decisions of the Courts will be harmonized by the decision of this Conference. I notice that there are other amendments proposed by the Delegate from Great Britain which also meet the suggestions of the learned Delegate from Germany. It was wise on the part of the Delegates from Great Britain to discuss this provision in their fifty-ninth amendment before touching the first one.

I will call attention to the sixty-second amendment, which it is well to consider while we are forming our judgment upon the question of adding the words "and speed" to the twenty-second Article. That amendment, No. 62, provides that a ship which is required by these Rules to keep out of the way of another ship, shall, if circumstances of the case admit, avoid crossing ahead of the other. That provides for one contingency. But, above all, the twenty-third Article of the present Rules provides for exceptional cases where it may be necessary for the privileged ship to take the course other than that indicated by the strict construction of this Rule. In other words, the amendment as now proposed to this Article 22, gives a Rule which is to be observed in all cases unless there are some circumstances surrounding the peculiar situation which justify the privileged ship in departing from the plain Rule; and that is a theory which runs all through these Regulations. In other words, while you make a Law which shall govern the deck of a ship under all usual circumstances, you still provide a Rule which meets unusual and extraordinary circumstances. I may say that the Courts have enforced obedience and punished disobedience to the provisions of this twenty-third Article by judging cases to which the Rule should have been applied, and where the privileged ship disobeys the plain duty of the situation.

Mr. Hall (Great Britain).—Mr. President, perhaps before my gallant colleague gives us his views as a seaman I may just finish the discussion on the question of the construction of the Rule, which I will do in a very few words. I am sure that we are very much indebted to the learned Delegate from Germany for the thoughtful observations which he has made as to this proposed Rule. We quite agree with him as to the necessity of scanning and construing it in all its bearing before we come to a determination. But I wish to point out one thing. The quotation which he read, and which had such an effect upon the Delegate from Norway, was one which I remember perfectly well. I remember when it was made, by whom it was made, under what circumstances, and to whom it was made. It was not made in respect to the Rule. I am sorry to say it was your humble servant who addresses you, who had been compelled by the exigencies of his case to argue that a man was bound to keep on under all circumstances under this Rule, and the Judge pointed out that this was not the law. The Judge who made the observation which the learned Delegate referred to said that my argument, if it were adopted, would compel the master to sail his vessel into the jaws of death. It was not the Rule which would compel him to do so.

May I point this out to him? The English law and the American law, as I believe—and I am now speaking in the presence of a master of Admiralty law—is that a man in charge of a vessel is to blame if he goes on blindly. When he sees that a collision will ensue, he is not justified in keeping on when he sees that, under the peculiar circumstances of the case, it is necessary for him to act as

well in order to avoid a collision. I have a reference to the American cases as well as the English cases to that effect. Therefore I think this gets us out of that difficulty. As is pointed out by the learned Delegate from the United States, that is provided for under general Article No. 23.

It has also been pointed out by the learned Delegate for the United States that there is an under-current of opinion which seems to consider that vessels should avoid crossing the bows of vessels out of the way of which they have to keep. He has pointed out that the very next amendment on the Paper, which we shall have the honour to propose presently, provides for that. I think there can be no doubt about one thing in the minds of sailors, that it is most desirable that a vessel which has to keep out of the way of other vessels should avoid crossing their bows. It will assist us to carry that out if this Rule which is now proposed shall be adopted, requiring vessels to keep their speed. Let me explain why. At present I am told that vessels that have to keep out of the way are sometimes afraid to try to go under the stern of another vessel because the other vessel may slacken her speed. The vessel may begin to slacken her speed and you cannot notice it at first. You may commence your manœuvres to go astern, and when you are beginning to do that you may find, to your amazement, that she is slackening her speed and narrowing the distance which otherwise you would have in order to get out of her way and go under her stern.

If we have once before our minds and are practically agreed on the importance of that point, then it will assist us in considering whether we should provide that the holding-on vessel should keep her speed. Now, if that be a desirable principle, then I certainly think it should be assisted in requiring the holding-on vessel to keep her speed, and if so, that will be an inducement to the vessel which has to keep out of the way to avoid crossing the bows. If that be so, I think that we shall avoid one of the very greatest perils of navigation.

Admiral Molyneux (Great Britain).—Mr. President, there is one point I would like to bring to the notice of the Conference in answer to the learned Delegate from Germany. He asks whether this is not putting a very great burden on the holding-on ship to compel her to keep her speed. I think that before we can answer that we must consider what is the position now under the present Rule. The holding-on ship cannot tell, and has no right to ask, or to know, how the other ship is going to act, or how she is going to get out of her way. The other ship may be trying to cross her bow, or go under her stern; but up to the very moment of a collision there is nothing to guide her. She has a perfect right to go across the bow or to go astern, and to do anything she likes, except to come into collision. So I doubt if you can make the burden of the holding-on ship worse than it is at present.

I think that if you make it perfectly clear that one ship *is not* to do a certain thing and the other ship *is* to do a certain thing, you will at all events remove a certain amount of doubt. I think after all that is the main trouble. The man on the holding-on ship now must have a very bad time of it; and I cannot conceive of anything more trying than his position. Under the present Rule he is obliged to keep his speed, and he knows that the other ship is not to cross his bow. If he sees that the other ship, in spite of the Rule, is blundering across his bow, he knows that he has to deal with a fellow who does not know his business, and knows then that he will probably have to act. But under the existing Rule he has got no right to assume that the other man does not know his business.

Therefore I think that in both ways this Rule is a gain. Under the old Rule he has no right to assume when the other vessel is trying to cross his bow that the captain does not know his business; but he will know it, if we pass these two Rules, because they are both strung on one string. I think that we should bear in mind that so far from putting a burden on the ship, we are taking a very great burden off of her. There is one other point. Under the present Rule I think there is no doubt that the holding-on ships should consider that they have the right of way, and the right of way includes not only course but speed. If it is the custom and practice of seamen to keep their speed, I think it is better to put it down in black and white that they are to do so. My experience, at all events, is that they are in the habit of doing so, that we are really not altering the custom very much. We are trying to make it absolute instead of open to doubt, as it was before. And this is another great point in favour of this amendment.

Captain Sampson (United States).—Mr. President, I would like to point out to some of the Delegates that possibly some of the difficulties which have been stated as, perhaps, liable to arise under this amendment, by the Delegate from Germany, will be entirely removed when we come to consider Article 19. The American Rules, which it is proposed to adopt, of using whistles to indicate the intention of a ship, are now permissive; if they are made obligatory they will render it perfectly possible for ships to talk to each other in such a way that if there is any doubt in the mind of an officer commanding a vessel, which has to keep her course, it is easily removed by the use of the steam-whistle. Every vessel will have a right to indicate what she is going to do by the use of the steam-whistle; and, so far as the American practice goes, it is perfectly possible for a disagreement to exist between two vessels under such circumstances at first, and for them afterwards to reach an agreement. When a vessel, for instance, indicates that she is going to keep her speed and use her port helm, the other ship wishing to manœuvre in a different way will indicate it by a blow of two whistles. Then, if it is agreed between them that that should be the manœuvre to be performed, the vessel which first indicated that she was going to use her port helm, will reply by conceding to the other vessel the right to follow the manœuvre which she suggests, and will blow two whistles.

Mr. Flood (Norway).—Mr. President, may I be permitted to add a word or two more? The gallant Delegate from the United States says that they might blow their whistles. That is all very well where there are two steamers meeting. But suppose they are sailing-vessels? They have got no steam-whistles to converse with. For my own part I must confess that I am very sociable on *terra firma*, but I am not sociable upon the sea when I have a vessel under command. Then I try to keep a good distance out of the way so as to avoid collision. I am well aware that Article 22, which comes afterwards, proposes in a general way such precautions in this matter, but I do not see why a sailor shall be forbidden to try to slacken his speed a little if he finds it necessary.

Admiral Bowden-Smith (Great Britain).—Mr. President, our case is so very well put before the Conference by our First Delegate that I am always very loth to add anything to it. But he himself stated that this was a sailor's question, and I think it is most important that the sailors in this Conference should give us their opinion on the matter. We have already had an expression of opinion from my gallant colleague, which makes me still more loth to trouble the Conference. But I feel now that we have come to the most important thing that we have to decide in these whole Regulations; that is, the Regulation as to crossing ships. It is the most important thing of all, and at the present moment (I say it here almost without fear of contradiction), as the Rule stands now, neither the sailors nor the lawyers know what to do.

When this question was first brought up, the learned Delegate for Germany very well told us how the law stood at present. He said: You must be cautious how you put in the word "speed," because the principle of the Rule at present requires that the giving-way ship may go ahead or go astern of your ship, whichever she pleases. Some years ago there was a very important collision between two British sailing-ships, when they both went down upon the open sea. The people were picked up by boats, and the trial took place. In reading the account of that trial in the "Shipping Gazette," I was greatly impressed because the learned gentleman who addressed the wicked survivors who were the cause of the collision, used exactly the same words which have been used now by the learned Delegate from Germany. He said to the people in the wrong: You should have avoided that ship. In doing so you had a perfect right to go ahead or to go astern, if you pleased. But, he said, whichever you selected to do, you ought to have done in sufficient time.

Now, I stand here as a sailor, and I certainly hope I shall carry my brother sailors with me when I say that I want to know, once for all, what am I to do. I want to take it out of the power of any Judge or any Law Court to say in the future to the giving-way ship, you may go ahead or you may go astern. It is a most difficult thing to speak of this Resolution as it stands at present, because, as has been pointed out by the learned Delegate from the United States, it comes in so completely with our next amendment, over the page, that I may ask if you will allow me just to state the whole case, including this amendment and the next one, so as to permit me to put before the Conference, if I can do so, our whole position. Let us imagine two ships steering such a course that they will come into collision at a certain point, and therefore there is risk of collision between these two ships. One of these ships is called the holding-on ship, and has the right of way. The other of the two ships is the giving-way ship, and has to give way to the holding-on ship.

I think that all we want to do in our proposal here, even if it is not accepted in just the exact words in which it stands here, is to ask this Conference to make it perfectly clear that the holding-on ship has the right of way in every sense of the word, and that she shall not be interfered with or hampered by the other ship, under ordinary circumstances. I say especially ordinary circumstances, because cases have been quoted here by the learned Delegate from Norway, not ordinary cases, but extraordinary cases. So I say that we want to make it perfectly plain that the holding-on ship is to have the right of way when there is risk of collision under ordinary circumstances. We want to make it perfectly plain that the giving-way ship, in avoiding the holding-on ship, may do anything she pleases except one thing, and that is, that when there is risk of collision she is not to try to cross her bow. I am particularly anxious that my colleague should understand what I mean by that. We do not say that she is to go under her stern. As a sailor I would not agree to the words saying that she is to go under the stern of the holding-on ship. If a sailing-ship, you can go off the wind; or if a steamer, when the danger is broad on the bow, more than four points, the safest way is to put her helm to starboard and stop her engines and reverse. So I do not like the expression "going under the stern." What we wish you to do is to give to the ship which is to keep out of the way anything she pleases except, when there is risk of collision, the right to try to cross the bow of the other vessel. I wish particularly to emphasize the words "risk of collision," because it is only when the risk of collision applies that these Rules apply.

There are two objections which I have heard from some sailors in regard to this proposed amendment. The captain of a very fast steamer, which could go 18 to 20 knots an hour, says, "May I not, in command of this fast steamer, go ahead of that small steamer, a pig-boat or collier, which can only go 8 or 9 knots an hour. I can certainly go ahead of that steamer." But if there is risk of collision, you have no more right to worry that pig-boat or that collier than she has to hamper you if she is on the wrong side. Another argument has been pointed out by the learned Delegate from Germany. He says it is all very well when you have only two ships meeting. But suppose there are three! Then you must be left free to go as you please. Then I say Article 23 comes in. You cannot make a Rule which meets every position. It passes the wit of man to make a Rule which meets every case.

I really think that the seamen at this table—and I value their opinion very much—ought to give us their opinion in regard to this matter, after they have read and carefully thought over this amendment. I hope that we shall carry at all events the principle of what we propose to do, and carry it unanimously. Some of the Delegates have already proposed amendments to provide for this. The Delegate from Chile has an amendment to the same effect, very much, as the one which we propose. I think from what has fallen from a number of the Delegates in the Conference that they think this proposed amendment is a good one.

Captain Malmberg (Sweden).—Mr. President, when I first came here, and before this discussion upon the amendment of the Delegate from Great Britain was brought about, I had very great doubts about the advisability of accepting the Rule proposed. I only wish to state now that after the able discussions of this subject, I will give my vote for the adoption of the Rule proposed.

Captain Mensing (Germany).—Mr. President, I am glad to see that so many seamen have taken part in the discussion of this most important Article. I wish that every seaman at this table would give his experience, and contribute to the knowledge and understanding of this Article. I do not doubt that the Rules, as they are laid down to-day, are in some respects very good ones; but I take

it this Rule is one that is already impressed upon the seamen not by any written Law, not by any Article in these Regulations, but by a higher power which every seaman acknowledges, and that is, common sense. I understand fully the difficulty which the gallant Delegate from Great Britain has mentioned.

I think that if it were possible that a Judge could give a decision in a Court that a ship holding her course could manœuvre in every way she saw fit, even if she brought danger of collision by such action—I think that every sailor would like to have such a decision taken out of the power of the Judge. I am not a lawyer, but I believe that in Germany it has never been the intention nor the idea of the law that a ship is entirely free to act as she chooses, whether she brings on apparent danger to another ship or not. The proposition contained in this Article has been submitted to all the different States in Germany, and has been heretofore considered carefully by every one of them. They have asked all the nautical societies and all the people that have to do with ships, and so far as we know they are unanimous in thinking that such a Rule should not be introduced. I say that I believe there is not one amongst us here who will deny what the gallant Delegate from Great Britain has said, namely, that it is the custom and practice of seamen to do as the amendment proposes.

Now, Gentlemen, what reason can there be for a ship going ahead faster or slackening her speed and reversing if she sees another ship coming? If she should do so and there should be a collision, I do not doubt that the Court before which this collision would be brought would find out who was to blame. There is no Rule that a ship is to keep out of the way of a ship at anchor; but everyone will understand that he must do so, because common sense says that he must. What would be the consequence if we introduced such an Article? As I say, it is already the acknowledged custom of a ship which has to keep her course to also keep her speed. Now it is asked of us to adopt a proposition by which the custom is to be changed to a hard-and-fast Rule. It has been told us over and over again that every sailor who reads this Regulation and finds that there is a change in the wording of the Rule will say there must also be a change in the principle. We all keep our speed now, if possible; therefore we can only take this new Rule to mean that we are to keep our speed under all circumstances.

It may be said that Article 23 relieves them of this burden. But there is one thing about this which has not been mentioned before, and which makes me rather doubtful about this proposed amendment. The English Delegates have told us that this Article has been introduced because in another Article an extra burden is put on the ship that has to keep out of the way to pass astern of the other ship, and that on this account the other ship should be held to go on and to keep her speed. Now, Gentlemen, that is a bargain between ship and ship. For my own part I think it is far better to get out of the way of any floating danger as early as possible, and the farther I get away from it the better. The Article provides that when risk of collision appears, the ship should keep out of the way. Now, risk of collision is very likely only determined a few minutes before the collision takes place.

Let us suppose that there are two ships on the high seas, one of which has to keep out of the way of the other; the captain of the latter gives his signal. If we adopt the distance proposed by Captain Sampson for the range of sound-signals, the signal will be heard only a few minutes before the collision. What will be the difference in the position of the ships if one slows down or goes ahead faster? I say this because we have heard from the gallant Delegate from Great Britain how long it takes to stop a ship in the water. It is out of the question that a man, if he sees danger, should go ahead and run into it, or slow down and put himself in the way of being run into. If he changes his speed a little, there is very little difference indeed; not a ship's length.

If we make this proposed change in the Rule, when the sailors read it carefully, they will, perhaps, construe it that they are permitted to make as close a shave as possible. That will be dangerous, because everything which can lead the captain of one ship to cross within a ship's length of another's stern is most hazardous; so what I can do to prevent close shaving I will do. There is another great drawback to the proposed amendment, difficult to explain without having a drawing-board or a black-board to illustrate it; but perhaps sailors will be able to do without such illustration.

Suppose that the ship is in the beginning of her curve of evolution, when her head is turned to a very perceptible degree. A practical seaman is accustomed to think that the ship's course is directed to the point to which she is heading, but a great many steam-boat captains do not know that if they put the helm over the ship gains leeway, so to speak, and that her course through the water forms an angle with the direction of the ship's head. I have found by experiment that this angle sometimes is as much as 16 degrees. From this it follows that a ship may have turned such an amount without changing her real course perceptibly, or, at least, has gotten out of that course very little. Authorities like Captain Lowal of the French Navy, Admiral Colomb and Captain Wharton of the British Navy, have pointed out the same thing.

Now, let us suppose you have a steamer going in a certain direction and she sees another ship crossing her bow on her starboard side. It may be said that it is easy to find out whether there is risk of collision by taking the compass-bearings, but I think few sailors would do that in the daytime. It is most difficult to find out what that other ship's speed really is, for the appearance of a ship has a great deal to do with making the impression that she is going at a certain speed. You see, for instance, a four-masted turtle-decked passenger steamer, and your impression is that she is going at a high rate of speed, say 16 knots or more; and you see another vessel, say a full-rigged man-of-war, and you are led to believe that she is going at a speed of 7 or 8 knots only. In the latter case, it is but natural that a captain should say, "I have time enough to easily pass ahead of her." But he finds he is mistaken, and he must alter his course in barely sufficient time to pass astern of her. Under this amendment one ship is coming up here [*indicating*], and the other going ahead in this direction [*indicating*]. Both are getting nearer and nearer to each other. What is the duty of the captain of the other ship? He is to keep his course and speed. If he could only increase the latter, under the circumstances he would soon forge ahead and all danger of collision would be over; but

that he cannot do if we adopt the proposed amendment. This is another reason why we should not adopt it.

If there was any cause for this proposed change I would say let us adopt it by all means. I do not think that any case has been decided where a Judge was not perfectly clear in his mind what ought to have been done. There has never been a case, so far as I know, where this Article could have been misconstrued in such a way as to mean that a ship might do whatever she liked, no matter what dangers she brought into navigation, and no matter how great the risk of collision should be.

As I said before, I believe that, notwithstanding what the Judgment of an English Court has been, no sailor would think himself justified in slowing down, stopping, or reversing the engines of a ship if she has to hold her course, and knowing that by doing so he would bring about risk of collision. If this were not an accepted Rule, I would say, let us have it by all means. But if there does not exist any case by which it can be shown that a necessity exists for altering this Rule, then, I say, let the Rule stand as it is.

Captain Saldanha da Gama (Brazil).—Mr. President, as a seaman, and as an old seaman, as I pretend to be for my age, I desire to state that I will have to come to the support of the proposition of the honourable Delegate from Great Britain. Before I begin to make a few explanations to the Conference, I must say that I feel very sorry to see seamen at difference amongst themselves, like lawyers. I believe that the amendment proposed by the honourable Delegate from Great Britain is so strong that it will meet all objections. As a complement to the strict Rule contained in the second part of the amendment, No. 59, amendment No. 61 says—

"When, in consequence of thick weather, or other causes, two ships find themselves so close together as to make it doubtful whether by the action of one ship alone collision can be avoided, the ship which by the above Article is directed to keep her course and speed shall also take such action as will best aid to avoid collision."

These two amendments provide that a ship which is to keep out of the way of another ship shall avoid crossing the bow, and also provide that in case a collision cannot be avoided by the action of one ship alone, then the other ship is to act. The amendment proposed by my gallant friend, the Delegate from Chile, makes it more imperative; but it is directed to the same purpose as the amendment of the learned Delegate from Great Britain. It is my experience and my knowledge that most of the cases of collision on the sea are in consequence of both ships endeavouring to manœuvre, and his amendment is to reach that point. It provides that no ship shall cross the bow of any ship in motion where there is risk of collision; but if extraordinary circumstances require that it be done, then the ship crossing the bow of the other shall be responsible for the consequences. Now, most of the cases of collision on the sea come in consequence of both ships endeavouring to manœuvre at the same time. That was the case in a collision which lately occurred between two French steamers. One collided with the other because she tried to manœuvre when she ought to have kept on her course. I think that amendment No. 59 and amendments Nos. 61 and 62 should perhaps be put to the Conference together, and be carried or rejected together.

Commodore Monasterio (Mexico).—Mr. President, our honourable colleague, the Delegate from Germany, having strongly opposed the proposition made by the English Delegation, asks us sailors for our opinion in regard to this amendment, and I think it my duty to give you my views, which are founded on my experience of more than twenty years at sea. This question being one of common sense, as the gallant German Delegate said, is also a question of mathematics and of calculation of probabilities. The point of collision is the result of many factors, such as the speed, size, position, and course of the two vessels, the action of the currents, of the wind, and other temporary factors, and may be determined if we fix the power of these factors, as we all have done when studying collisions. This point may be found forward or aft of one of the vessels. If it is prohibited to pass ahead, as it was wisely proposed by the Delegations of England and Chile in another amendment, the risk of collision will be reduced one-half, but as it is now proposed, the vessel which must keep on her course must also keep her speed. The other vessel can then manœuvre with safety, and there will be no risk of collision by the unforeseen slackening of speed of the other vessel, and I venture to say that we will have gained an advantage of 75 per cent. over the present system.

When we know the intention of the other vessel, the course to be followed is easily seen. Let us impose upon one the obligation to manœuvre, and impose upon the other the obligation at that moment to change neither her course nor her speed. We will also facilitate the work of the Courts, and we will prevent an innocent party from being condemned.

For these reasons I will heartily support the proposition now under discussion.

Lieutenant Beaugency (Chile).—Mr. President, the gallant Delegate from Germany and the gallant Delegate from Mexico have pointed out to us that the question of keeping out of the way is a question of common sense. It is my opinion that common sense depends upon knowledge. It is not proper for us to leave a question as to the extent of a Rule of the Road to common sense. But it is not common sense for a ship in motion to cross my bow. That is not a question of common sense. We can make the law here for people who have not the common sense in the right way.

Captain Richard (France).—Mr. President, after having heard the discussion, and after having heard the arguments for and against the proposed amendment, a stranger to the question and to our debates would be very much embarrassed. According to some, the amendment is a horn of plenty, which will shower upon us all the good things of this earth; according to others, it is, on the contrary, Pandora's box, from which all evils will flow. So far as I am concerned, I hardly believe that the question is as serious a one as we are made to believe, and I have decided to vote in favour of the proposition of the learned Delegate of Great Britain, without being frightened by the importance of

that Resolution. After all, what has been done? The word "speed" has been inserted in the text. Until now that word, without being formally printed in the Rule as it will be, was imprinted on the minds of sailors. When you said that a vessel, in the circumstances which we are discussing, must *keep her course*, every sailor understood what was meant.

I do not understand, however, that the Rule is so imperative as to prevent a vessel from manœuvring if she needs to, or to compel her to strictly keep the same speed under all circumstances.

I think that, as heretofore, the aim of the Article is that the holding-on ship, which has the right to keep her course, can do so without disturbing herself: that is to say by making the same number of revolutions if she is a steam-vessel, and carrying the same amount of sail as she did before, if she is a sailing-vessel, and to keep her course on the same heading which she was on before. There has been inserted into the Article a very clear direction for her to keep her speed. I see nothing wrong in that. There might just as well have been added that she shall continue to steer her compass course.

I am satisfied that the old Rule could have been maintained; but as it is desired to introduce the word "speed," I see nothing against it, and I have no objection against its being inserted. I will therefore vote for the amendment.

Mr. Hall (Great Britain).—Mr. President, perhaps I may tell the gallant Delegate from France what our object is. We quite agree with him that sailors would think the words "keep her course" would mean to keep her speed; but our Courts in England have held that unless the words "and speed" are in the Rules a vessel is not bound to keep her speed. We propose to add these words because the decisions of our Courts on the subject hold that it is not necessary for a ship to keep her speed. We are putting in these words because they are necessary on account of the judicial interpretations which have been put upon the Rule. In a famous case, which has been alluded to very often, our Courts held that as the words "and speed" were not in the Rule, that the Rules prescribed nothing with regard to a vessel keeping her speed. There is one further matter. My learned friend, the Delegate from Germany, has said that there is no ground for supposing that the holding-on vessel should slacken her speed. Why should she do so? Common sense is against it.

I dare say I have not made myself clear; but one of our objects in putting this in and one of our objects in altering Article 18 is that at the present time, under Article 18, it has been argued and argued very strenuously that when two vessels are meeting, so as to involve risk of collision, each of them must slacken her speed. Therefore the sailor at the present time is in this difficulty: He does not know whether the holding-on vessel is going to slacken or not, and that prevents him from acting under the circumstances as he otherwise would act, and as a prudent sailor would act. One of the very reasons for this amendment is because it has been argued over and over again that under the existing Article 18 both vessels, directly when they are approaching each other at such an angle that collision will ensue, ought to slacken their speed. They are both bound to slacken their speed. That was the decision in the case of the "Beryl." There the holding-on vessel was held to blame because she continued her speed as well as her course. The Court said: There is no Rule telling you you are to continue your speed, and on the other hand there is a Rule telling you that when you are approaching a vessel so as to involve risk of collision you ought to slacken your speed. It was held that she was to blame because she did not slacken her speed. I desire to point that out because the gallant Delegate from Germany has said "Why should any vessel slacken her speed? it is against common sense."

It is because there is doubt under these Rules as to whether or not a vessel is bound to do so, that we have presented this amendment. I will further say to the gallant Delegate from Germany, as he has quoted Captain Wharton and Admiral Colomb, that the former was a member of our Committee in London when we drew up this amendment, and that both of them where strong advocates in favour of this alteration. The only fault which they had to find with it was that it was not strong enough. I am informed that Admiral Colomb said that he would like to see it even stronger. The gallant Delegate has mentioned these gentlemen here, and, therefore, I thought it was just as well to tell him what their opinions were on the subject.

Captain Shackford (United States).—I have listened with a great deal of pleasure to the argument of the gallant Delegate from Germany. I cannot understand exactly the illustration he gives of the course of the two ships. I cannot understand a man, whose place it is to keep out of the way, acting as he supposes that master to act in this illustration. I am sure that he would not act that way, and if he had any doubt at all that he was not going to cross the vessel's bow at a prudent distance, he certainly would have ported his helm and gone under the vessel's stern. He certainly would not have waited so long without altering his bearings very perceptibly. I think it is held in this country by many steam-ship pilots and captains that keeping the course also means keeping the speed. I think that this Rule would be a good thing for the timid people—the timid masters in command of ships. I know that on quite a number of occasions I have come very near having collisions with vessels from this very thing. In narrow waters, where I was not able to give a man plenty of room, when I would get close up to him he would apparently think I did not see him and lose his head, and do the very thing he ought not to do, that is, to stop or slow his vessel when he ought to keep his way. Therefore, I think these two amendments are excellent ones, and I should like to have them supported. I trust they will pass.

Captain Varela de Torres (Spain).—Mr. President, the difficulty of expressing myself in English prevents me from adding anything to what the learned Delegates in this Conference have said so eloquently. My chief conviction is that no Rule need be given on this subject to a real seaman, who, from his experience, will always find the best way. Considering the impossibility of pointing out the many cases in which he can be involved, it is best not to say anything, and, in consequence, I think the present Rule must be sustained and enforced, with the addition offered by the honourable Delegate from England.

Admiral Nares (Great Britain).—Mr. President, as a seaman I should like to say that if the

keeping-out-of-the-way ship in the future is to be bound to slacken her speed, or stop, or reverse, that is, to reduce her speed in some way or other, you must certainly make the holding-on ship continue her speed. If we take these two Articles together it follows that you must make the holding-on ship continue her speed, because that is the best seamanship. Now I will go back to the old Rule. In the sailing days the Rule was that when two ships were meeting each other, one of the ships was to keep out of the way of the other, and the other was to keep her course. That meant that the starboard tack was to hold on. Now, has any seaman ever known the starboard tack to heave-to? That is precisely the position into which steamers are now placed, and therefore we are not actually altering the Rule. We are coming back to the old sailing Rules, so that when two steamers meet each other they will know surely that one has to get out of the way of the other and the other is to keep her course and speed. You may say there is no necessity for it and that it is common sense. I would only refer to the case of two persons passing in the street. When we want to go to the right, do we wish the other person to stop so that we will run up against him? You want the other person to continue his speed as well as his course.

Captain Mensing (Germany).—Mr. President, I would like to say that I fully agree with the views of every seaman expressed. The point of difference is not there at all. I think we all are unanimous in the opinion that the ship ought to keep her speed if possible. The only point which I have tried to explain at some length is, that it is now the accepted Rule, and that if we change the meaning of the present Rule, it may be deduced from that that there is meant to be a change of the present custom of the sea. I am glad that there is nobody here who has really opposed the principle. It is only in the wording of it that it is difficult to come to a unanimous opinion. As to the remark of the learned Delegate from Great Britain, I did not mean to say that I thought Admiral Colomb and Captain Wharton were of my opinion, I only wanted to explain that I thought they were very good authorities on the question of how ships move through the water, and it is only in that respect that I mentioned their names.

Admiral Bowden-Smith (Great Britain.)—Mr. President, I value the opinion of the gallant Delegate from Germany so much, that, not having quite understood what he said in his remarks, I would like to ask him to explain himself. But before I do so, I want to add one more word with regard to my very great friends, Admiral Colomb and Captain Wharton. Although there may be people who know more than they do, I do not suppose anybody in the world has studied the manœuvres of ships more than they have; and I wish that all other people would study the manœuvring powers of ships, and then they would see the importance of this proposed change, and would know that, generally, steamers going at full speed require two ship's lengths to get off of their own line of advance.

The gallant Delegate has also alluded to the compass-bearings. I am so much afraid of our intention in regard to that being mistaken that I desire to say we do not mean by introducing this direction to take the compass-bearings, to imply that everyone on board the ship is always to have his head in the compass. It is only to apply when there is actually risk of collision, and when there is time to take the compass-bearings. What we want to impress upon the officer in charge of the giving-way ship is, that when he has time to do so he should take the compass-bearing, and that if there is the least doubt in his mind that there is risk of collision, he should assume the risk of collision; and if he is a steamer he should possibly stop his engines at once. We want to make it perfectly plain that the holding-on ship is not to be interfered with. The last time the gallant Delegate from Germany spoke he said that he was with us in principle, but I could not make out certainly whether he wished the Rule left in the present uncertain state which I take it to be in, and that is that the giving-way ship may pass ahead or pass astern, or in fact do anything she likes except to get into collision, and by her actions make it utterly impossible for the holding-on ship to know what she is going to do. I want to know, in plain language, if he wants the Rule left in that position or not, because I do not quite understand him.

Mr. Flood (Norway).—Mr. President, may I have leave to say a word in reply to the gallant English Admiral who has asked if any sailor present would ever heave-to on his starboard tack? I will say, "Yes; I have repeatedly had to heave-to on the starboard tack to avoid a collision, and by that means, as I can prove, I have saved most precious lives and precious merchandize."

Captain Mensing (Germany).—Mr. President, I would like to state that I fully agree in principle with this amendment as proposed by the Delegate from Great Britain. I object to the last words, "and speed." As I have said before, I think that the principle is entirely right. It is simply because it is already adopted and carried out that I think that by putting these words into the Rule, and making it a hard-and-fast Rule, sailors may be induced to believe that we have changed the existing sense of the Rule.

Mr. Hall (Great Britain).—Mr. President, I only wish to say that, as the gallant Delegate from Germany says we are perfectly agreed on principle, I thought I had stated at the outset the reason for proposing this amendment. It was this: That, unfortunately, the Courts of Law in England have decided upon the construction of this Article that a vessel is not entitled to keep her speed, and it is necessary to put these words in the Article, in order to carry out the principles approved by all seamen. We are doing this in accordance with what seamen want, and we are doing it simply because it is not in accordance with the interpretation of the words in our Courts. We are following now the practical knowledge and the practical experience of sailors.

Mr. Goodrich (United States).—Mr. President, I think the learned Delegate used a word which he did not intend to use. He said that the ship was not "entitled" to keep her speed. I presume he meant that she was not bound to keep her speed.

Dr. Alberto Nin (Uruguay).—Mr. President, as a lawyer I would say that the words "keep her speed" are included in the words "keep her course"; only this adds one element to the course, because it is not supposed that the vessel is to stop.

The President.—Is the Conference ready for the question on the amendment? The Secretary will please read the fifty-ninth amendment.

The amendment is as follows:—

"Every steam-ship that is directed by these Regulations to keep out of the way of another ship shall, on approaching her, slacken her speed, if necessary, or stop, if necessary, or reverse, if necessary.

"Where, by any of these Rules, one of two ships is to keep out of the way of the other, the other shall keep her course and speed."

The amendment was put to the Conference, and carried.

Mr. Hall (Great Britain).—Mr. President, it is now my duty to submit the first part of this amendment to Article 18. Of course it will be seen at once by the Delegates that it will be necessary as a consequential amendment to Article 18, now that we have provided that the holding-on vessel is to keep her speed. Under the Article as it originally stood it was necessary for both vessels which were approaching one another so as to involve risk of collision, to slacken their speed, or stop, and reverse, if necessary. It is clear now that we must alter that in regard to the holding-on vessel. We proposed to alter that originally as it is printed; but it has been pointed out to us that there are objections and unnecessary verbiage in the printed amendment, and we propose to alter it as follows:—

"Every steam-ship which is directed by these Regulations to keep out of the way of another ship, shall, on approaching her, if necessary, slacken her speed, or stop, or reverse."

We think it very desirable to alter it in that way. I think the members of the Conference will see that this is practically a consequential change upon that which we have just now carried.

The President.—The amendment is before the Conference. The Secretary will please read it.

The amendment is as follows:—

"Every steam-ship which is directed by these Regulations to keep out of the way of another ship shall, on approaching her, if necessary, slacken her speed, or stop, or reverse."

The amendment was put to the Conference, and carried.

The President.—The next amendment will be amendment No. 62. The Secretary will please read it.

The amendment is as follows:—

"A ship which is required by these Rules to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other."

Mr. Hall (Great Britain).—Mr. President, although this is a new Rule, I think it had better be disposed of in its order here, because it is now in the minds of the Delegates. Our proposal now is with regard to the duty upon the vessel which is to keep out of the way. I feel that it will be necessary for me to occupy the time of the Conference only a very few minutes. It has been stated, I think, by several of the Delegates, that it is better that the vessel which has to keep out of the way should avoid crossing the bows of the other vessel. Of course you cannot lay down a hard-and-fast rule. She may be compelled by the exigencies of the case to adopt such a manœuvre under some circumstances; but, so far as I have heard to-day, there has not been one single opinion advanced by any sailor that it is not desirable for vessels to avoid crossing the bows of other vessels. Accordingly, we venture to propose this: "A ship which is required by these Rules to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other." If we put into the Rule, "if the circumstances of the case admit," the onus would be on the man who tried to cross the bows of another vessel, to show why he adopted that manœuvre, and did not adopt the more prudent and safer one.

The President.—The question is upon amendment No. 62.

The amendment was put to the Conference, and carried.

The President.—Amendment No. 61 is next in order.

The amendment is as follows:—

"When, in consequence of thick weather or other causes, two ships find themselves so close to each other as to make it doubtful whether by the action of one ship alone collision can be avoided, the ship which, by the above Article, is directed to keep her course and speed, shall also take such action as will best aid to avoid collision."

Mr. Hall (Great Britain).—Mr. President, with regard to amendment No. 61, it has been pointed out to us that so much of it is included in general Article 23 that we propose to withdraw it, and ask the Conference to allow us to make an amendment to general Article 23, which, we think, will obviate some of the difficulties which were pointed out to us during the first discussion of these Rules. The very great benefit of that discussion has been to bring to the minds of many of us points which we might have overlooked. When we come to the discussion of the general Rule No. 23 we will try and see if it is not possible to provide some alteration to the general Rule which will impress upon the minds of sailors that they must not hold on, hard-and-fast, keeping on their course or speed, when it is obvious that special circumstances have arisen which ought to make them slacken their speed, or alter their course, if necessary.

Every sailor will agree that there must be conditions when it will be necessary that both vessels

should act, and not merely one of them, in order to avoid a collision. Accordingly, we ought to emphasize that as much as we possibly can, and for that reason we have brought forward this proposition. We want to make it clear to every sailor that he must not say: "The Rule is that I am to keep my course and speed, and I shall stick to it under all circumstances." When it is necessary for him to act, as well as the other ship, he ought to do so, and we have endeavoured to impress that duty, if possible, more strongly upon him. I am not at the present moment prepared to submit an amendment to that effect. We shall not reach that at to-day's sitting, as I understand that we rise at 1 o'clock. I will take care that the Delegates shall have full notice of the amendment we propose to general Article 23 before we ask the Conference to discuss it. I ask, therefore, to withdraw amendment No. 61.

The President.—It will he withdrawn if there be no objection.

Admiral Bowden-Smith (Great Britain).—Mr. President, before it is withdrawn I desire to say a few words upon what has fallen from our honourable First Delegate. I am not going to say anything in opposition to what he has said, because I quite agree with him. I want to be allowed, as a sailor, and having something to do with this matter, to point out to the Conference what was in our minds in proposing this amendment, so that they may consider the matter, and when Article 23 comes up to be considered may have their minds prepared for it. Any one who studies manœuvring powers of ships will see at a glance, after consideration, that you can put two ships in such a position that, whatever one ship does, she cannot avoid a collision unless the other ship assists her—that is, in extraordinary cases. I would be very glad if the sailors of the Conference would give their minds to this, and see if it is possible to find something which will give the officer on the holding-on ship no excuse for insisting on his right when it would cause loss of life and property.

The President.—The amendment is withdrawn, by general consent. The next amendment is No. 66, the amendment proposed by the Delegate from Chile. The Secretary will please read it.

The amendment is as follows:—

"No ship shall cross the bow of any ship in motion where there is a risk of collision; but, if extraordinary circumstances require that it be done, then the ship crossing the bow of the other shall be responsible for the consequences."

Lieutenant Beaugency (Chile).—Mr. President, amendment No. 66, I think, is the same as amendment No. 62, proposed by the honourable Delegate from Great Britain. I would like to make a stronger plea in favour of a ship not crossing the bow of another, and that is the reason the amendment is different from that of the honourable Delegate from England which the Conference has adopted. I will withdraw this amendment.

The President.—The Delegate from Chile desires to withdraw this amendment. If there be no objection it will be so ordered.

The next subject for consideration is amendment No. 63. That is a new Rule, but if the Delegate desires to have it considered now it can be done by unanimous consent, or it will be laid over until the other Rules have been disposed of.

Mr. Hall (Great Britain).—Mr. President, as this is a sailing Rule, I would propose that it should be taken up now, because it would be practically in its proper place.

The President.—If there be no objection it will be taken up now. The Secretary will please read it.

The amendment is as follows:—

"In the daytime, that is, between sunrise and sunset, single ships shall keep out of the way of three or more ships of war in order, and no ship shall, under such circumstances, break the line of the squadron. At night, that is, between sunset and sunrise, single ships should, for mutual safety, endeavour to avoid passing through a squadron."

Mr. Hall (Great Britain).—Mr. President, our object in proposing this is because of the very great inconvenience which may be caused, somewhat thoughtlessly, by single sailing-vessels interfering with ships of war when there are three or more in order, by breaking through the line. It is, of course, an exception to the Rule that a steam-vessel shall keep out of the way of sailing-vessels, and of course a sailing-vessel, if she chooses to insist upon her right, in the daytime, when there is really no danger in the way of her manœuvring so as to avoid breaking through the line of a squadron, can do so. She can give a great deal of difficulty by insisting unnecessarily upon her right. We do not propose to make this Rule mandatory at night, for it may be difficult for a sailing-vessel to comply with it, and all that we propose is to suggest that she should endeavour to avoid giving trouble, if she can avoid it. We do not go further than to say that in the daytime a sailing-ship shall keep out of the way of three or more ships of war in order.

Captain Richard (France).—Mr. President, as the Article which it is proposed to insert in the International Rules appears to me to be very serious, as it widely deviates from the custom heretofore adopted to make a general Rule for all vessels, without distinction of war-vessels and merchant-vessels, and as the discussion is quite important, I would ask the Conference to adjourn the discussion till Monday.

Mr. Hall (Great Britain).—Mr. President, I gladly accept the proposal that this be postponed until Monday, as the gallant Delegate from France thinks it worthy of consideration. I consent to his proposal.

The President.—If there be no objection it will be postponed until Monday. The seventy-fourth amendment is withdrawn by general consent. The next subject for consideration is the new Rule proposed by the Delegate from Norway, Mr. Flood, being the seventy-sixth amendment. Under the Rule, that will not be disposed of until the regular Rules of the Road have been completed, unless he desires, by general consent, to have it taken up now.

Mr. Flood (Norway).—Mr. President, as this is a new Rule, I ask the favour of having it laid over until Monday.

The President.—It will be so ordered. The next subject for consideration will be amendment No. 47.

Captain Malmberg (Sweden).—Mr. President, that was withdrawn on the same day it was made, and I stated then the reasons why I withdrew it.

The President.—The next amendment is No. 64, proposed by the Delegate from the United States, Mr. Goodrich.

Mr. Goodrich (United States).—Mr. President, I think the consideration of this Rule had better be postponed until Monday. I called the attention of the Delegates to the fact that the last two lines should be struck out, which will make the amendment consonant with the other amendments.

Captain Van Steyn (the Netherlands).—Mr. President, the next one is nearly the same, and the same lines must be stricken out.

Mr. Goodrich (United States).—Mr. President, this is an exceedingly important Article, and I suggest that, as the time of adjournment has almost arrived, the Conference do now adjourn, and I make that motion.

The President.—Before the adjournment, the Chair desires to read the following:—

"It will not be necessary for Delegates intending to visit the Naval Academy at Annapolis to-morrow to bring their invitations. The Secretary of the Conference will be at the depôt by 9·30 o'clock to meet them as they arrive.

"The Secretary will furnish tickets of admission to any Delegates desiring to attend the lecture on the 'Law of Storms' at the National Geographical Society to-night."

The Conference then adjourned until Monday, the 18th November, at 11 o'clock A.M.

Washington, Monday, November 18, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Cahir.

The President.—The first order of business this morning will be the Report of the Committee on Lights for Small Vessels. Is the Chairman now ready to present the Report?

Mr. Gray (Great Britain).—Mr. President, the Committee on Lights for Small Vessels have finished their Report, and copies have been handed to the Secretary this morning.

The President.—Printed copies have been distributed and laid upon the table. The next business in order is the sixty-third amendment, which was postponed on Friday.

Mr. Hall (Great Britain).—Mr. President, before that is taken up, I desire to give formal notice of an amendment. According to our Rules, it is necessary that I should do so at the commencement of the session. It is an amendment to Article 23, to insert the words "collision or other," before the word "danger" in the last line, so that it will read "collision or other danger."

The President.—The Committee on Lights for Small Vessels desire the following changes made in their Report as printed. On p. 2, Article 10, paragraph (*a*), strike out the word "fishing" after the words "boats and;" and at the bottom of p. 3, in paragraph (*c*), after the words "all vessels," insert the words "under steam."

The next business is amendment No. 63.

Mr. Hall (Great Britain).—Mr. President, before we proceed with that amendment, may I give formal notice of two Resolutions, which are purely matters of form, and which are merely for the purpose of enabling us to save time. The Conference may remember that we adopted in principle the Rule, that a definition of the word "steam-ship" should be made so as to include all vessels propelled by motive power other than steam, using machinery. We had the honour to propose the definition that it should be all vessels propelled by machinery. It was pointed out at the time that this might not be as good a definition as would be arrived at, and the principle was adopted by the Conference subject to the definition being chosen afterwards. I beg, therefore, to move, that the definition of the word "steam-ship" be referred to the Collocation Committee.

I have one further Resolution to propose, and it is this. We have carried in principle in the Conference that vessels might show a flare-up light or make a detonating signal to a vessel approaching them. That was adopted in principle; but it was pointed out that possibly there might be objections either to the flare-up light or the detonating signal. I now move that we refer the question as to what the precaution shall be to the Committee on Sound-Signals, who will be able to save us a great deal of time by giving us a Report as to what they think will be the best precautionary measure. I therefore beg to move that we refer the definition of the word "steam-ship" to the Collocation Committee; and that the other question, with regard to the proper signal, about which the principle has been adopted by the Conference, should be referred to the Sound-Signal Committee.

The motions of the Delegate from Great Britain were put to the Conference, and carried.

Mr. Goodrich (United States).—Mr President, I propose another amendment to Article 4 to meet a case which I do not think has been fully discussed in the Conference, although it is going back to the question of a finished Rule. I believe it requires a three-fourths vote to accomplish this, and therefore I desire to briefly explain what it is. In addition to Article 4, I want to add a proposal that when steamers are towing vessels, and have more than one vessel in tow, they shall carry an additional light. The proposition is that where they are carrying more than two vessels in tow they shall carry three lights. The object of that is this. A trade has grown up along the Atlantic Coast of towing large coal-barges, which are sometimes constructed specially for that purpose, and which sometimes are old hulks of ships reconstructed. They carry, often, as much as 3,000 tons of coal. They are

very large vessels, and the tows are frequently half-a-mile long. They are a growing danger to navigation, and they cross the track of the North Atlantic steamers, because they go from the South to Boston, and even further.

It has been suggested by Captain Norcross, of our Delegation, that there should be some provision by which approaching vessels would see the danger; and he proposed an amendment some time ago which was withdrawn, namely, that a vessel should carry a light for every vessel she had in tow. This is not a cumbersome addition to the lights which a vessel which is towing is obliged to carry. Where she tows more than one vessel she carries two lights, and if she tows more than two vessels she carries three lights. The proposition we want to make is that when she takes more than two tows she is to carry three lights. I will ask the permission of the Conference to have this printed and considered.

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"Article 4. Steamers towing shall carry, in addition to the white masthead-light, an additional white light, carried vertically under the masthead-light, and when towing more than one vessel an additional white light, said lights to be not less than 3 feet apart."

Mr. Hall (Great Britain).—Mr. President, I understand that it is not proposed to alter the principle which we have come to with regard to carrying the white light.

Mr. Goodrich (United States).—Not the slightest; it must be carried in the same way.

Mr. Hall (Great Britain).—Mr. President, so far as I can see there is no objection to be made to the proposal, although we have not had an opportunity to consider it.

The President.—The words "6 feet apart" are to be inserted in the amendment?

Mr. Goodrich (United States).—Yes, Sir; 6 feet apart.

The President.—This amendment can only be received by consent of three-fourths of the Delegates.

The question was put to the Conference as to whether this amendment should be considered under the Rule previously adopted by the Conference; and three-fourths having voted in the affirmative, the amendment was received.

The President.—The next in order is the sixty-third amendment, which the Secretary will please read.

The amendment is as follows:—

"Amendment proposed by Mr. Hall (Great Britain), 22nd October, 1889, as a new Rule:—

"In daytime, that is, between sunrise and sunset, single ships shall keep out of the way of three or more ships of war in order; and no ship shall, under such circumstances, break the line of such a squadron.

"At night, that is, between sunset and sunrise, single ships should, for mutual safety, avoid passing through a squadron."

Mr. Hall (Great Britain).—Mr. President, since the Conference adjourned on Friday afternoon my colleagues and I have had under consideration the amendment which I had the honour to lay before the Conference, and which is now the order of business for to-day. Having regard to the suggestions which have been made to us, we have thought it desirable to amend this proposal, so as to prevent it from being in any possible way considered to be an onerous duty cast upon sailing-vessels. We are most anxious not to cast any extra duty upon sailing-vessels; and what we propose is really done in the interest of sailing-vessels, because the Conference will understand that frequently a sailing-vessel may be in this position: She may be in such a position that she would much sooner not go across the bows of a squadron of war-vessels; but she would feel bound under the existing Rules, unless there is some Rule permitting her to do otherwise, to keep her course and go right across the whole of that squadron. Of course, if we have a Rule of this kind she would not be compelled to carry out that principle; but she would be free to act, and would be able in the daytime, instead of hampering a squadron, to put her helm up or down and keep out of the way of them without any inconvenience to herself.

We do not propose to do anything that would be at all difficult for sailing-vessels to comply with. For instance, it was pointed out to me by one of the Delegates that under the Rule as originally proposed it would be very difficult for a vessel which was hove-to, or very difficult for a vessel which was in a calm, to comply with the Rule. Accordingly, we have thought it necessary to frame an amendment which would meet these objections, and we propose to offer this, as follows:—

"In clear weather no vessel shall cross the bows of the leaders of any squadron of ships of war in regular formation, nor pass through the lines of such squadrons; but nothing in this Article shall excuse the ship of war from doing her best to avoid collision."

We want to point out that it is the duty of men-of-war now, as in the past, that they shall do their very best to avoid collision. We also think that it may be possible to pass a Rule here which will enable vessels not to be obliged to keep their course, and so go across the bow of a leading vessel of a squadron or go through the line. If we pass such a Rule as this it will entitle sailing-vessels to do this without their being held to infringe the Rule.

The President.—Does the Delegate from Great Britain desire to withdraw his amendment No. 63 and substitute that which he has just read?

Mr. Hall (Great Britain).—I propose this as an amendment upon our amendment. Of course, if it is desirable that it should be printed, the matter will lie over for the fresh amendment to be

printed, so that the Delegates can have an opportunity of considering it in print before we discuss it.

The President.—If any Delegate desires that it should lay over, it will be so ordered.

Captain Sampson (United States).—I would like to ask if this amendment applies to both day and night?

Mr. Hall (Great Britain).—Yes, Sir; at present we use the words, "in clear weather," so that it would apply to both day and night.

Dr. Sieveking (Germany).—Mr. President, I would be glad if this amendment could be printed before discussion.

The President.—It will be printed and laid over. The next amendment in order will be the seventy-sixth amendment. The Secretary will please read it.

The amendment is as follows:—

"A vessel under steam or sail shall always give way to a disabled vessel."

The President.—According to the Rule laid down by the Conference, this, being a new Article, will not be taken up until after the other Articles have been considered. If the Delegate from Norway desires to take it up now, it may be done by general consent, as it was postponed from Friday until Monday.

Mr. Flood (Norway).—I would desire, Mr. President, to have it postponed awhile.

The President.—It will be postponed, if there is no objection. The next subject for consideration is extra amendment No. 48, the principle of which has been adopted. The Secretary will please read the amendment.

The amendment is as follows:—

"A steam-vessel proceeding under sail, and not using her engines, but being manageable, shall carry in daytime, in any place of the foretop where it can best be seen, a cone-shaped body, 2 feet in diameter at the base, and of a height of at least 3 feet, to be carried top upwards."

Mr. Hall (Great Britain).—Mr. President, might I suggest to the gallant Delegate from the Netherlands that perhaps we shall be able to meet with the principle of his amendment, and we all agree in his proposal, if we merely state that the vessel should carry a ball, which, of course, will be on board of the vessel, instead of making it necessary for her to get special signals. If she merely hoists a ball in front of or upon the foremast, where it can best be seen, it will be sufficient. She carries a ball on board, and it would be a signal which everybody would understand. It could not be mistaken for anything else; and it would avoid the necessity of making a vessel get a special signal for this special state of affairs.

Captain Van Steyn (the Netherlands).—Mr. President, I think that the ball is the existing signal used as a distance signal, and as it is used that way, this signal would be apt to be mistaken.

Mr. Hall (Great Britain).—Mr. President, it is so used in connection with something else; but it is not used by itself for signalling. A ball, by itself, would not be mistaken for a distance signal or anything else. Of course, if there were anything else for which it might be mistaken it would not be proper to use it as a signal; but the ball by itself has no signification at present. If we put into the Rules that it is to mean what is intended to be provided for by this amendment, then we get over that difficulty. It is only to get over the difficulty of making steam-vessels carry a special signal when they can utilize what they already have on board.

Captain Van Steyn (the Netherlands).—Mr. President, if the Conference is of the opinion that it would do for a signal in the special case which I have mentioned, I am quite willing it should be adopted. I thought it would interfere with existing signals, and that is the only reason why I asked for another shape.

The President.—Does the Delegate from the Netherlands adopt the suggestion of the Delegate from Great Britain?

Captain Van Steyn (the Netherlands).—Yes, Sir; I do.

The President.—Is the Conference ready for the question upon this amendment? It will be read as it now stands, with the suggestion of the Delegate from Great Britain, as accepted by the Delegate from the Netherlands.

Mr. Hall (Great Britain).—Mr President, I think it will be unnecessary to put in the words "but being manageable," because there is a special provision for vessels that are not manageable. A vessel proceeding under sail would be manageable unless she gives a special notice to that effect. I do not think that those words are necessary. The amendment will then read:—

"A steam-vessel proceeding under sail, and not using her engines, shall carry in the daytime, in the place on or in front of the foremast where it can best be seen, a ball or shape 2 feet in diameter."

That is, following the wording of Article 5, where a ball or shape is prescribed to be carried.

Captain Malmberg (Sweden).—Mr. President, I only want to ask for information. If this amendment is adopted as it is now worded, is it to mean that when a steamer can lift her propeller, or shift the blades so that they do not hinder her manœuvres, she is to be allowed to hoist the signal proposed? She is a ship which is as manageable as any other sailing-ship in the world.

Mr. Hall (Great Britain).—It is the very fact that she is manageable which requires her to give this sign. A man-of-war, like any other steamer, if she is not actually using her engines for the purposes of propulsion, is then a sailing-vessel, and she ought to give notice of that fact to other vessels.

Mr. Goodrich (United States).—Mr. President, I venture to suggest that there ought to be some provision made for such a vessel in the night-time.

Mr. Hall (Great Britain).—It is only in the daytime that the difficulty arises, because a man may see steam escaping from the pipe in the daytime and think that the vessel is under steam. No one could be misled in the night, because under those circumstances she is a sailing-vessel, and then she puts up her side-lights only.

The President.—The Delegate from the Netherlands will give his attention to the amendment as proposed by the Delegate from Great Britain.

Captain Salvesen (Norway).—What shall a war-ship that has got her funnel down do?

Mr. Hall (Great Britain).—Of course, if a man-of-war has got her funnel down no steam can possibly be escaping, and then it would not be necessary to hoist the black ball. Everybody would say at once that she is a sailing-vessel. It is only when there is steam escaping and you want to let people know that she is not steaming. There is no hardship upon them to require them to hoist the ball.

The President.—The Secretary will please read the amendment as proposed.

The amendment is as follows:—

"A steam-vessel proceeding under sail, and not using her engines, shall carry in daytime, in any place on or in front of the foremast where it can best be seen, a ball or shape, 2 feet in diameter."

The question was put to the Conference upon the amendment proposed by the Delegate from Great Britain, and carried.

The President.—The question now is upon the amendment as amended.

The question upon the amendment as amended was put to the Conference, and carried.

The President.—The next amendment in order will be extra amendment No. 49. The Secretary will please read it.

The amendment is as follows:—

"Article —. A disabled vessel being towed by a sailing-vessel, shall, in addition to her side-lights, carry amidships, where they can best be seen, a red light over a white light, in a vertical line, not less than 6 feet apart, and of such a character as to be visible all around the horizon."

Mr. Hall (Great Britain).—Mr. President, before this amendment is read, may I appeal to the gallant Captain, the Delegate from Sweden, and point out to him that we have been considering very carefully this subject and trying to get some light which would be distinguishable, and that we have found very great difficulty. I will ask him whether, having regard to the fact that it is a very exceptional thing for a sailing-vessel to tow a disabled vessel, it is desirable to encumber the Rules with such a provision. I will only say that if he still thinks it is desirable we will do our very best to assist him. Our difficulty has been in obtaining some distinctive signal. We think, perhaps, that he will not think it necessary to press this amendment.

Captain Malmberg (Sweden).—Mr. President, I have found it impossible to give a disabled ship towing, a signal which would not interfere with the signals such a vessel has to carry under Article 6, and as the introduction into the Rules of such an Article as I have proposed would overthrow the present system of signalling I will withdraw the amendment.

The President.—If there is no objection the amendment will be withdrawn. The Chair desires to know whether the Conference wish to take up the consideration of Article 7, "Lights for Small Vessels," now that the Report of the Committee on Lights for Small Vessels is before the Conference, or whether the Conference wish to consider Article 19, which is where the Conference left off on Friday.

Mr. Goodrich (United States).—Mr. President, I suggest that the consideration of these four Articles be postponed until at least to-morrow, so that we may look over these Reports.

The President.—If there be no objection that will be done. The next subject for consideration is Article 19, sixty-fourth amendment. The Secretary will please read it.

The amendment is as follows:—

"*Signals for Steamers showing course.*

"Article 19. In taking any course authorized or required by these Regulations, a steam-vessel under way shall indicate that course to any other vessel which she has in sight by the following signals on her steam-whistles, namely:—

"One short blast to mean, 'I am directing my course to starboard.'
"Two short blasts to mean, 'I am directing my course to port.'
"Three short blasts to mean, 'I am going full speed astern.'"

Mr Goodrich (United States).—Mr. President, I desire, with the consent of the Conference, to add a few words which I have taken from the proposed amendment by the learned Delegate from Siam, extra amendment No. 29. In the third line of my amendment, where it says "which she has in sight," I want to add the words, "and with which there is risk of collision," for reasons which I will explain. My attention was called by the Delegate from Siam to the fact that we do not want a signal for every vessel in sight of another vessel, and it was only where there is risk of collision.

Now, Mr. President, this is an exceedingly important change in Article 19, and a change which, I venture to think, is very much for the better. It is, however, a questions for the sailors of the

Conference, and with that in view, and with a desire to obtain the opinions of sailors as to whether it is wise to change the permissive character of the Rule and make it a mandatory Rule, during the past summer I addressed a number of letters to various ship-masters. These ship-masters were chiefly engaged in the steam-ship service, but some of them were in the sailing-ship service. I find that out of twenty-seven answers which I received which were definite in their statements, twenty-three declared in favour of making this Rule a mandatory Rule, while four thought that the Rule was well enough as it stood. There were quite a number of other answers which were not so definite in their statements, and I have not formulated any of them.

As I said before, this is a question very largely for the nautical men of the Conference, and I should like to hear from them before making any further remarks upon the proposed amendment. I may perhaps say that it is another exemplification of the manifest desire of the Conference that the Rules shall be made, so far as they can be made, positive, and to give another element of certainty in regard to the movements of vessels which are approaching each other where risk of collision is involved.

The President.—Is the Conference ready for the question on this amendment?

Mr. Verney (Siam).—Mr. President, will you allow me to quote a few opinions of seamen on this subject? I will take good care not to express any opinion of my own. I wish to answer the appeal of the learned Delegate of the United States, and I will confine myself entirely to stating the opinions of seamen. In the first place, I may have been mistaken, but I read the Report of the Committee on Sound-Signals as indicating that they do not desire any such change. If I am wrong I ask to be corrected. On p. 4 of the Report of the Committee on Sound-Signals I read this phrase:—

"As regards helm-signals by sound, we are of opinion that it is not desirable to alter the present universally adopted signals."

This language may be taken to mean that they should neither be made compulsory nor altered in any other way.

I will go further than that. I notice moreover on p. 3 of the Report this phrase:—

"Further, if such signals were in use in crowded waters, we apprehend that danger would result from the uncertainty and confusion produced by the multiplicity of signals, and from a feeling of false security that would be created in the minds of many."

Therefore that danger was present to the minds of the Committee on Sound-Signals. Of course, I desire to call the attention of the Conference to the context with which it is surrounded, and I simply state what the impression was upon my own mind; and that is, that there might be danger in multiplying sound-signals of any kind, and in any circumstances. A Memorial by Captain Charles P. Wilson was handed to us, together with the Report of the Committee on Sound-Signals, and that gentleman says, on p. 19 of the Report:—

"The main difficulty in establishing a system of sound-signals that presents itself to me is the liability, when a number of vessels are present, of the signals of one vessel being misinterpreted to refer to that of another."

In addition to the opinions of these nautical gentlemen, I wish to call the attention of the Conference to this fact, that in the action taken by the United States, that is to say, in the printed papers which we have had laid before us, the Conference will find this very curious fact: that although the opinions of all these gentlemen were asked and their attention especially directed to the question as to whether helm sound-signals in clear weather should be compulsory, out of all the opinions given, there are only fifteen—I have gone very carefully through them—there are only fifteen out of seventy-six in favour of the compulsory system. Of the seventy-six who gave their opinions, and who were specially asked to report on that subject, you have forty who do not think it worth while to mention it. You have fifteen in favour of it and fifteen against it.

With regard to the action taken by Great Britain, so far as is shown by the documents laid before the Conference, there has been no formal inquiry whatever as to whether it is advisable to adopt compulsory sound-signals in clear weather for the helm; but a Circular letter was issued by the Board of Trade in March, 1889, and a great many of the replies refer incidentally to Article 19. If the honourable Delegates will look through the Circular which contains the replies, they will find that a great many of them refer to Article 19 in express terms; but I do not think that any of them think it advisable that the helm-signals should be made compulsory, or certainly not more than one or two. On pp. 24 and 30 two answers out of the whole one hundred and eight may be quoted as being possibly in favour of the compulsory use of the sound-signals in clear weather.

I will quote one more opinion, and that is the opinion of a pilot who has had a very large experience in this country. He has written to me on the subject and I venture to put before the Conference his own words. He says:—

"The Rule should not be made compulsory, because in a crowded thoroughfare if the vessels were obliged to sound signals for every change of course, there would be confusion from so much noise. Sound-signals should be made universal, but left optional as regards the sounding."

I promised not to express my own opinion at all, and I am going to sit down without doing so.

Admiral Nares (Great Britain).—Mr. President, on the part of the Sound-Signal Committee, I desire to state that I am not quite certain whether the honourable Delegate from Siam is not con-

fusing helm-signals with course-indicating sound-signals. He first refers to the fourth paragraph on p. 3, where the Committee say:—

"Further, if such signals were in use in crowded waters we apprehend that danger would result from the uncertainty and confusion produced by the multiplicity of signals, and from a feeling of false security that would be created in the minds of many."

If he will look at the preceding paragraph he will see that it is especially directed to course-indicating sound-signals, and has nothing whatever to do with the signals we are at present considering.

If he will also look at p. 4, to which he refers, he will find that the Committee say:—

"As regards helm-signals by sounds, we are of opinion that it is not desirable to alter the present universally adopted signals."

We say we do not wish to alter the present signals. We do not say that we think they should not be made compulsory. We draw particular attention to these signals as having been universally adopted; and therefore our meaning is pretty clear, I think, that they are so important and so universally adopted that it is now time for us to consider whether they should not be made compulsory. The learned Delegate from Siam has also referred to a statement in Captain Wilson's Report to the Board of Trade. I will read the sentence:—

"The main difficulty in establishing a system of sound-signals that presents itself to me, is the liability, when a number of vessels are present, of the signals of one vessel being misinterpreted to refer to that of another."

If he will look at the top of the page he will see that this has reference to course-indicating signals, and has nothing whatever to do with helm-signals.

Mr. Hall (Great Britain).—Mr. President, perhaps I might supplement what has just been stated by my gallant colleague in pointing out that the answer of Captain Wilson is entirely with regard to questions as to course-indicating signals in foggy weather, and has nothing whatever to do with vessels in sight of one another. If the learned Delegate from Siam will glance through the first two lines of the Report, he will see that Captain Wilson was dealing solely with the question of foggy weather, and that he refers to a letter from the Board of Trade which is asking for information solely as to whether it is practicable to have course- or route-indicating sound-signals to be made by vessels in fog, mist, or falling snow. Captain Wilson commences his Report in these words:—

"I doubt if, in the interest of safety, it is desirable to establish a system of sound-signals to be used by steam-vessels during foggy weather to denote the direction in which they are proceeding."

Therefore, I am at a loss to understand what Captain Wilson's opinion can have to do with the Rule which is now under consideration.

Mr. Goodrich (United States).—Mr. President, may I also supplement the remarks of the learned Delegate from Great Britain by calling attention to the same letter on p. 20, where a distinction is clearly drawn between the signals under Article 19 which we are now considering, and the signals under Article 12, spoken of on p. 19 of the Report, about which Captain Wilson was writing. He says in Article 19:—

"Optional sound-signals are provided for indicating the manœuvre a steam-vessel is indicating; but as that Article has no reference to foggy weather, I do not think it necessary to refer to it in detail, except to say that I have every reason to believe it is found very useful in practice."

In other words, this clearly shows that what Captain Wilson was talking about was not Article 19. I may also add that in the Article of Ensign George P. Blow, the officer in charge of the New York Branch of the United States' Hydrographic Office, on p. 15, after a very careful examination of the whole subject, says:—

"The helm- or manœuvring-signals should certainly be made compulsory, whether the compass code be adopted or not. Many captains claim that no compass code will be necessary if the helm-signals be made compulsory."

Mr. Verney (Siam).—Mr. President, I am much obliged for the gallant Admiral's explanation of the Report of the Committee on Sound-Signals. I purposely courted an explanation of that kind. The learned Delegate from the United States has called our attention to the different part of the Report of Captain Wilson. I intended to quote his Report as showing that he had Article 19 in his mind, to which, on p. 20, he expressly refers, and I also desired to call the attention of the Conference to the fact that neither one of these gentlemen thought it worth while to strongly indicate that these helm-signals should be made compulsory. If this matter is so important and the necessity for a change is so urgent, it is very strange that none of these gentlemen should have mentioned it in their Reports or in their replies, and that their opinion on this subject should never have even been asked when they were being consulted on kindred subjects. I am much obliged for the explanation which has been given of the meaning of the Report.

Mr. Hall (Great Britain).—Mr. President, the Delegate from Siam has pointed out that Captain Wilson has not given an answer to a very important matter. I presume that Captain Wilson is a

man of business. He was asked to answer a particular matter with regard to course-indicatiag signals. If the Delegate from Siam will look at the first page of Appendix (B) he will see what the question was which was asked. Captain Wilson was never asked about helm-signals for vessels in sight of one another, and therefore, like a man of business, he did not incumber his Report with that proposition. The question which he was asked is as follows :—

"Is it practicable, and, if so, is it advisable, to introduce some system of course- or route-indicating sound-signals to be made by steam-ships under way in fog, mist, or falling snow, when neither can see the other ?"

That is the question propounded to him, and he answers that question.

Why Captain Wilson, when he is asked that question, should answer something else, I confess I am at a loss to understand. The Delegate from Siam says that he wishes to know whether or not Great Britain had any information on this subject. I can tell him that we have a great deal of information on the subject, and he will find, if he looks at the amendment which is next but two or three in order, that we make exactly the same proposal, and we made the proposal in consequence of the information which we have had tendered to us by the very best judges and men who have had nautical experience. They have advised us that it is important that these signals should be made compulsory, and for this reason, which is the best of reasons, that they have hitherto been permissive and have been widely made use of.

There is not a sailor or officer in the marine who does not know perfectly well what one blast or two blasts mean when two vessels are in sight of each other, and they are in everyday use. Therefore, having regard to the information which can be conveyed by these simple signals, and to the fact that they are to be used when vessels are in sight of one another, so that there is no chance of a mistake arising which would arise very often in foggy weather; and having regard to the fact that there is practically a unanimous consensus of opinion among sailors in Great Britain upon this point, we have proposed to make the same suggestion which is now presented by the learned Delegate from the United States. I need not say that we shall give it our strongest support. I will only add that, when the time comes, we shall propose to attempt to define, as we do in our amendment, what the duration of the short blasts shall be, so as to prevent them being confounded with the prolonged blast.

Dr. Sieveking (Germany).—Mr. President, I think that the learned Delegate from the United States was quite right in prefacing his remarks on this subject by saying that it is a matter of very great importance. I myself confess that I would like very much to have the discussion carried on a little more upon the merits of the case, and enter a little more into the details, because I must say that, with all deference to the judgment which has been given by sailors, who are the proper judges on this question, I still entertain some doubts as to the advisability of adopting this proposed Rule. It appears to me quite clear from what has been said, and what I know from other sources, that the opinions of seamen are divided about this question. So there must be reasons both for and against it. I should like very much to have them gone into a little more in detail. I have tried to get some information on this subject from a man of very great experience in Hamburg, and I lay before the Conference the arguments which he brings against this proposed amendment. I will try and translate what he says into English. He says as follows :—

"The opinions of nautical men on the question of whether the signals of Article 19 are to be made compulsory or not, are divided. In our Hamburg harbour these signals are given by all river steamers without any exception, and this system works wonderfully well. But in our harbour small vessels only come in; they are always close to each other, and always fully in sight of one another. There is, therefore, much less opportunity for mistaking the signals under these circumstances than when the signals are given on the high seas, at a greater distance, where they may be overcome by the noise of their own engines, or the breakers in a heavy sea, or by the roar of the wind."

He says—

"I have frequently had occasion to attend the trial of collision cases, and there were only very few cases where the parties did not contradict each other on the subject of the helm-signals which had been given. Moreover, it must be taken into consideration that in crowded waters—for example, in the Sound and the British Channel, &c.—it is very possible that the signals may be heard by two or more vessels which are in proximity to each other and may be mistaken, although this danger does not appear to me to be so considerable as the one mentioned before. Then it must be considered also that water condenses in every steam-whistle which has not been used for some time, and that for this reason the first signal will be indistinct until the water is removed, and this may easily lead to a mistake. For these reasons I disapprove of making these helm-signals compulsory on the high seas."

Now, so far as I can judge—and of course I must form my opinion according to the arguments offered by the nautical men—there is very much in these arguments. If it is true that these signals can be mistaken very easily, I think it would be dangerous and decidedly inadvisable to make them compulsory; because if a vessel is giving two signals, and they are mistaken for one signal, the very contrary will ensue to what is intended. I think that is quite clear, and that instead of removing danger the danger would be increased, and to a very fatal extent. It appears to me also to be quite obvious that a difference must be made between harbours and the open sea. If a nautical man tells us that this system of compulsory helm-signals works well in a harbour, we would say it is because there the vessels are fully in sight of one another, and there cannot very easily be a mistake; these are quiet waters; there is no noise of engines; there is no wind; there is no heavy sea. Then I

think we must put aside the arguments which are brought in favour of this amendment and rely upon experience made in harbours. We must put the question: What is the experience on the high sea?

Now, I am very sure that there is not such a large experience on the high seas as there is in the harbours, because what is done there is not under every man's eye, as is what is done in the harbours. Of course the question is only with regard to vessels which are in sight of one another; but in the night-time if they see one another's lights they are in sight of each other, and then it may be still more difficult to avoid a mistake. In the daytime a very close observer might see by the steam which is going out of the steamer's whistle, whether it goes out once, or twice, or three times, and he might see that the steam escapes twice, although one of the signals was carried away by the wind. But that is not the case during the night. So, I say, that I must entertain very serious doubts about the advisability of the Rule so long as the argument that mistakes may easily occur is not met.

I say, what I have already said before on another occasion when we first discussed these Articles, that I want to be shown what is the advantage. I think that question must be answered before we can get at a sound judgment. What is the advantage? When two vessels are meeting, one of the vessels has to keep out of the way and she has to indicate the course she is taking. The other vessel has to keep her course and to keep her speed, as we have resolved now; then is the other vessel led to do anything by hearing these signals? No; certainly not. She is bound hand and foot, whether she hears the signals or not. She has to continue her course and to continue her speed. We cannot say she gains the advantage of knowing how to manœuvre, because she already knows how she is to manœuvre. The law tells her that she is to keep her course and speed.

I may take it for granted that this Rule is to be understood, as it always has been understood, so far as indications of course come into the question, that a vessel must continue to keep her course and speed until the last moment when she sees that there is immediate danger, and that then it is necessary to depart from the Rule in order to avoid a collision. In order to avoid confusion the Courts have always said that this Rule must be observed very rigidly; and they will say so now. It has been resolved that not only the course must be kept, but also the speed. The Courts will enforce that Regulation strictly, and I think that it is a sound principle of construction, because if the holding-on vessel were allowed to depart too soon from the Rule it would interfere with the manœuvres of the other vessel, and lead to confusion.

So, take a regular case, before there is immediate danger, before the last moment, the holding-on vessel is not at liberty to do anything, and therefore, she cannot be controlled by what the other vessel is doing. Therefore, it follows that it is of no importance for her to know what the other vessel is doing. It is only of importance for her to know that the other vessel is complying with the Rule. The only advantage which could arise from the Rule would be this: If it were complied with the holding-on vessel would know a little sooner than she does now the fact that the other vessel is doing her duty; and as the Rule stands at present, if the signals are not given, the holding-on vessel can only judge whether the keeping-out-of-the-way vessel is doing her duty and keeping out of the way by, in the night-time, seeing the lights change, or in the daytime seeing the course of the vessel change. She would see now that the keeping-out-of-the-way vessel is doing her duty some few moments sooner, because the sound-signal would indicate to her that fact sooner than seeing the lights change or sooner than seeing the head of the vessel turned.

This advantage is certainly, if I may so call it, a moral one only. It relieves a little the holding-on ship from her painful situation, which I have had occasion to deal with myself, and which I certainly do not underrate. It is a very annoying, a very awkward, and a very disagreeable situation to be put in, to have to hold your course and hold your speed, and to be in doubt whether the other vessel is running into you or not, or trying to avoid you. Such is the only advantage which I can see given by this amendment. Is that advantage to be compared with the disadvantage that the signals may be misunderstood? If this disadvantage is not removed, and if the doubts are not removed from my mind, I cannot see why it should be advisable to amend the Rule as it is proposed. This is a technical point about which I should be very glad to be informed. There is no certainty given by the mere fact that some sailors say this is our opinion, and others say ours is to the contrary. I am not guided by the number. I do not care about what is the number of sailors who give their opinion; but I care about the arguments, and I want to know their arguments.

I have been told another thing which is also of a technical character. Generally speaking, it might be said to be an easy thing for the commander of a steamer to give these signals. He is standing on the bridge and he is close by the line which connects with the steam-whistle. But I am told there are smaller steam-vessels where this cannot be arranged so easily, and where the man who is managing the vessel, and hauling the line to put the whistle in motion, is standing below the bridge, and where orders have to be given to him to govern the signals. That might be another source of misunderstanding, and it clearly would cause a delay which would lessen the advantage already pointed out for the holding-on vessel. My impression is that it would be much more important to enable the holding-on vessel to exhibit signals by which the attention of the keeping-out-of-the-way vessel would be drawn to the situation. It would be far more important, in order to attain the desired end, that the doubt which the holding-on vessel entertains about the proceedings of the other vessel be removed.

I think it a very good proposal which has been made to us that every vessel should be allowed to make signals, whatever they may be, either the flare-up signal in the night-time or by firing a gun or making some similar signal in the daytime, to call the attention of another vessel. Such would be a warning signal. It would say, "This is the keeping-on vessel. I am in doubt whether the vessel which is to keep out of the way proposes to do anything." Perhaps she is not keeping a good look-out; perhaps she is a reckless sailer, and wants to cross my bows; we do not see that she does anything.

We wish to draw her attention by firing a gun or by giving the flare-up signal, and so wake up the look-out and draw the attention of the officer on the bridge to the situation. That would be the very best means to induce them to do their duty. I think that would be a great advantage, but it has nothing to do with this proposal. This would only permit the keeping-on vessel to know what the other vessel proposed to do. These are technical points.

There is one legal point to which I would like to draw the attention of the Conference. I am afraid that this amendment will give rise to very profuse litigation. It certainly imposes a new duty, and a very important duty, upon the master of the keeping-out-of-the-way vessel. The keeping-out-of-the-way vessel has already the duty to keep out of the way. She is *allowed* to give a signal now. Under the present amendment she is to be *ordered* to give a signal, so that is a new duty. I think it is known everywhere that in Great Britain there is a Rule which says—I do not give the wording of the Law, but only the manner in which the Law is construed by the Courts—"Whenever it is shown in Court that one of the Rules has been infringed, the vessel which is proved to have infringed the Rule is to be held to blame until she shows either that the departure from the Rule was necessary, or that the infringement of the Rule has no possible connection with the collision." That is about the principle which I think is followed in every country. At least, it is followed in our country, although we have not such a special Law.

But we are guided also by the principle that where an infringement of the Rule is proved, which, *primâ facie*, may be considered to have possibly or probably caused the collision, the burden of proof that it is without connection, or without any possible connection, with the collision, and that the collision has not possibly been caused by this infringement, is upon the vessel which is proved to have infringed the Rule. Now, think how this would apply. Take into consideration what mariners say and what experience shows, that these signals are so easily misunderstood. Would it not be probable, and would it not be almost a necessary consequence of this amendment, that litigation would necessarily ensue? Then one party would say, "You have not given the signals." The other party would reply, "I did." If the Rule is left as it stands, the litigation would turn only upon the point whether in fact the manœuvres had been executed or not. In the future, the question would not only turn upon the question as to whether the proper manœuvre had been executed, but also upon the question as to whether the signals had been given, because it is quite clear that the manœuvre might have been executed and the helm might have been ported or the engines reversed, and it might have been omitted to indicate it by the blasts. Common sense would say that it is only of importance that the proper manœuvres have been taken, and so it is quite sufficient for litigation whether the signals have been made or not.

But in the future it might be said, whatever you have done, whether you have executed the proper manœuvre or not, you have omitted to indicate it, and by our not hearing it we have been induced to act so and so. If we had heard it we would have done just the opposite. We have not heard it. You have not given it, and, therefore, we have acted so, and collision has not been avoided. Now, I think it is quite clear that this would create endless litigation. It would be the duty of the Court first to decide whether the Rule has been infringed. The evidence on that point would be very contradictory.

If it is proved that this new Rule has been infringed, then the question would be: Has that any connection with the collision or not? And it would be very difficult to prove, I think, that it had no connection with the collision. So a vessel might be pronounced to be to blame, although, in fact, she had manœuvred correctly, and had only omitted to indicate her manœuvre. That, I think, would be a very great danger, because we ought to try to make these Rules as simple as possible, and to avoid imposing duties upon mariners which are not important, which do not touch upon the decisive points, and which are apt to lead to litigation.

Finally, I should like to draw the attention of the Conference to another point, which is merely a technical one. You know that there are situations in which vessels may be in doubt whether they are crossing vessels or whether they are meeting nearly end on. The distance gradually widens, of course, where both lights are seen. Within this arc a vessel may find herself meeting another vessel when it cannot be known whether the other vessel is seeing both of her lights or not. A vessel sees, a little on her starboard bow, the green light of another vessel, and the green light only a very few points—or only half a point, more or less, perhaps—on her starboard bow. She takes this vessel to be a vessel which does not see both of her lights, and, therefore, in order to pass quite clear of her, she starboards a little. The other vessel, finding herself within this arc, sees both of the lights of the approaching vessel, and thinks that the vessel is seeing both of her lights also, and that they are meeting vessels, and she ports her helm. This is a very frequent cause of collision, as is known to everyone here. In such a case it would not be of any use to make these signals compulsory, as they are proposed to be made now. Both vessels would, perhaps, at the same time give the signal, and if they were in close proximity to each other there might be no time to change the signal.

How easily might it happen that by giving the signals at the same time one vessel would not hear the signal of the other vessel. Even in this case I do not see that there could be possibly any considerable advantage arising from the proposed amendment to this Rule.

I am told by mariners who are experienced men that the signals can be very easily misunderstood. If they can, the amendment is very apt to create enormous danger. I say, on the other hand, that I do not see any great advantage, but only one advantage, and that is only of a moral nature. I am afraid that the amendment will be a serious one, and that it will be the cause of protracted litigation. These are my doubts which I would like to lay before the Conference, hoping that men who are better able to judge of these questions than I am will remove them from my mind.

Mr. Goodrich (United States).—Mr. President, I commenced the remarks which I addressed to the Conference in favour of the adoption of this proposition by the suggestion that this was a question rather for nautical men. I desire, in that view, to present to the Conference some literature which is in the possession of the Conference, giving the experience of sailors upon this subject. In Appendix (A)

to the Report of the Committee on Sound-Signals will be found a Circular, issued in May by the Hydrographer of the United States' Navy Department to the branch Hydrographic Offices, shortly after the United States' Delegates had formulated the Programme. In that Circular was a request that the branch Hydrographers should discuss the matter thoroughly with all those who are interested and capable to judge of it, and to make a Report in detail.

In pursuance of that request the Conference will find that there is appended to the letter a summary of a great many opinions upon the subject, and you will find, for instance, in the Summary of the Answers of the branch Hydrographic Office at Norfolk, Va., an opinion resulting from conversations with those interested and competent to judge showing that the helm-signals should be made compulsory. So the Hydrographic Office at Baltimore agreed to this, that the signals should be made compulsory. You will find running through the whole of that Appendix various opinions bearing upon the subject. In addition to that, I have several Reports, one made to the American Delegates by the Providence and Stonington Steam-ship Company, which employs a number of ship-masters, and their Report contains this statement:—

"We are strongly of the opinion that they should be made compulsory in all conditions of the atmosphere, whether the vessels are in sight of each other or not."

Mr. Carter (Hawaii).—What Company is that?

Mr. Goodrich (United States).—The Providence and Stonington Steam-ship Company.

Mr. Carter (Hawaii).—That is only with regard to inland waters.

Mr. Goodrich (United States).—The branch Hydrographic Office at Portland, Oregon, in making its Report, says: "It is the universal opinion that the helm-signals should be made compulsory." Another Report of the New York branch Hydrographic Office; from the Mersey Docks and Harbour Board, Liverpool; from the National Board of Marine Underwriters, New York; from the Philadelphia Maritime Exchange; and from the Liverpool Humane Society, contains the following statement: "The sound-signals now in use, in our opinions, cannot be better, and should be made compulsory." The branch Hydrographic Office in Philadelphia reports: "Helm-signals should be made compulsory." A Report from the masters of the steamers "Old Point Comfort," the Bay Line steamer "Georgia," and the Nova Scotia ship "Sapphire," contains the following statements: "The helm-signals should be made absolutely compulsory, and any licensed officer failing to respond to the given signal should be punished."

In addition to that, one of the Delegates from the United States, Captain Shackford, has received over fifty replies from various ship-masters, and almost without exception these ship-masters are in favour of making the signals compulsory. Some of them were foreign ship-masters engaged in the Atlantic trade. I am sure that we are pleased to get the opinion of the learned Delegate from Germany upon these subjects, for he always suggests to us such matters as put our minds to work, but I call his attention to this fact: In his argument he speaks of the constant litigation which may result from the alteration of this Rule, and that a new element of unnecessary litigation would be added. I venture to call his attention, and the attention of the Conference, to the fact that it is not only the cases which have been the subject of litigation, or which will be the subject of litigation, which this Rule is designed to protect. I venture to say that where one case is brought into Court, in which a collision has actually resulted, there have been a dozen narrow shaves where collision has been prevented by obedience to the Rule.

Now take the question of the adoption of the signals in inland waters, to which attention was called by the Delegate from Hawaii. I suppose that collisions are much more liable to result in crowded inland waters that they are at sea. Then we may well ask what has been the result of similar Rules in the harbour waters of the United States. There is in the inland water Rules a requisition on the part of steamers approaching each other to give those signals. In other words, in the harbours there is a compulsory system. The first of these requisitions is that when two steamers are approaching head and head, where the pilot of either steamer, after deciding the proper course to pursue, gives a signal indicating his intention, it must be answered by the approaching vessel; and this is a compulsory Rule. That this system has resulted well on inland waters, every man who is connected with matters of this kind must know, when he remembers how comparatively few the collisions are on the inland waters of the United States, where the harbours are crowded, as compared with the collisions in open sea.

I should think it may be safely said that it is the experience of every ship-master who travels the inland waters of this country that collisions are prevented by the adoption of a compulsory system of signalling on the inland waters of the United States. If they have worked well on the inland waters, in the crowded condition of those waters, I certainly see no reason why they should not work quite as well at sea where vessels interchange the signals required by this Rule and where fewer vessels are approaching each other.

I believe that I should be quite willing to go further and require a vessel which receives a signal to give an answering signal, indicating that she has accepted and heard the first signal given by the approaching vessel. That is the system adopted on the inland waters of the United States. When one vessel gives a signal and the other vessel is unwilling to obey it and to act in accordance with it, then the second vessel gives a signal of several short blasts to indicate that she does not accept the situation. That is the very question which we will discuss when that proposition comes up, as it may come up, under a certain other amendment. But the question now is whether the amendment shall be adopted to make this Rule compulsory, and certainly that is the principle which we have sought to establish by almost every vote given in this Conference. The question is whether the condition of making this Rule compulsory shall be added to the Rule as laid down in Article 19.

Mr. Carter (Hawaii).—I confess that I was impressed by the remarks of the learned Delegate from Germany, and when I threw out the suggestion that I did in regard to the inland waters of the United States, I did it with the hope and expectation of drawing attention to this and to have dis-

cussed the very sensible difference that was pointed out by the learned Delegate from Germany, which I do not think is quite answered by the remark of the learned Delegate of the United States. The learned Delegate of the United States says that because it has worked well on the inland waters he regards it as an argument for applying the Rule on the high seas.

The learned Delegate from Germany pointed out, when he made his objection, that the objection did not apply to the harbour of Hamburg or to inland waters where the vessels were near each other, and where the conditions in regard to the conflicting sounds were different, when they could plainly see as well as hear the signals. It seems to me that the general sentiment of the Conference has been to avoid amendments, unless there was a strong necessity shown for making them. Also it seems to me that the dangers of litigation are as much to be avoided, almost, as the dangers of navigation; and I believe, speaking from some experience, that they are even more serious for the owners than the dangers of navigation. Therefore, if—as the learned Delegate, from his long experience and learning, is certainly a good authority upon the subject—this change is likely to cause more litigation and to render the decisions of the Courts more difficult to be arrived at, it is a very serious question whether the amendment should be accepted or not.

Mr. Hall (Great Britain).—Mr. President, I would like to state this: Of course I have listened with the greatest interest to the statements of the learned Delegate of Germany. I have also listened with great attention to the opinion which he has given us as coming from a gentleman in some position at Hamburg, as I understand. But, as opposed to that opinion of one gentleman, I may say that we proposed this amendment upon the practically unanimous opinion of all the sailors who have assisted us in considering this question. I only rose to state this further fact; so far from its being a question of purely inland waters, I am informed that these signals are in constant use at sea. I am told by a gentleman who has been a master of very large vessels that he knows as a fact that they are used at sea, and it is because of the constant use which has been made of them optionally that we have thought it time now to make them compulsory. We have found the great benefit which has attended the use which has been made of them at sea, and we now think it well to make them compulsory.

I have only one other word to say and that is this: The learned Delegate from Germany said that this was imposing a new duty on the vessel which had to keep out of the way. I must confess that it does not strike me as being a very onerous duty upon the steamer to have to blow her whistle if the officer on duty is on the alert. It surely is no very great hardship to say to him that he has to pull the lanyard of the steamer's whistle either once or twice or give orders that it shall be done. There is one further remark. The learned Delegate from Germany has asked, What is the advantage to the holding-on vessel? I venture to say that it is a very great advantage to the holding-on vessel to know that the other vessel is going to act; that she sees her. It comes to this: It says, "I see you. I am going to keep out of your way." I venture to think that is an advantage which cannot be easily overestimated, especially for small vessels, when they see a large steamer coming down upon them which would take a very considerable time before she can act under her helm. I say that it is a very great advantage for a small vessel to know that the large steamer sees her and is taking the proper steps to keep out of her way.

Captain Richard (France).—Mr. President, so far as I am concerned I have but little objection to the amendment which has been proposed to us by Great Britain, that is to say, to consent that the three signals, to go to starboard, to go to port, and to go full speed astern, must be indicated by a blast. If England wishes to adopt that method and to make experiments with it we have no objection to doing the same. As was stated just now by the eminent Delegate from Great Britain, this Rule will be of considerable advantage. When two vessels going in opposite directions meet each other, one must keep her course and the other must get out of the way. It is not a bad thing for the one which keeps her course to know that the other makes up her mind to give way to her. It is a very good thing to know that you need not go out of your way; but if you do have to go out it is generally not disagreeable, and it is always very useful to know that you are doing so without running any danger.

If I have any objection it is only in regard to the text. Possibly it arises from an error in my understanding of the English language, and, if so, I hope to be corrected. If anyone desires to be dressed properly and stylishly, I would not advise him to dress himself up in a ready-made suit, or to get into the clothes of anybody else on which he happens to lay his hands. I fear that the Article which is submitted to us is precisely gotten up in a suit of clothes which was not made to order for it. We have precisely dressed our Article in a suit made for a Regulation, in which the possibility "*may* indicate" and not the obligation "*shall* indicate" was contained, and so well have we done it that our Rule is now very poorly clothed.

"In taking any course authorized or required by this Regulation"—you see here that by the old Rule you are at liberty to blow your whistle or not when a vessel is in sight; whereas you *must* whistle as soon as you *sight* a vessel. Are you then going to spend all your time blowing your whistle to every vessel that comes along? In that case the obligation may bring about a great deal of useless trouble and not a little confusion. I think that it would be well, if you wish to render the present Rule compulsory, not to force the whistle to be blown except at a reasonable distance. This is the only objection that I have to the amendment.

Mr. Goodrich (United States).—Mr. President, I call the attention of the learned Delegate from France to the fact that an additional amendment which I suggested obviates the objection. I added the words on the third line after the words "in sight," "and with which there is risk of collision."

Captain Richard (France).—Mr. President, it is a fact that I have omitted to write in the amendment the correction which was made in the course of this discussion, namely, "so as to avoid risk of collision." Then I would say that the coat which you dress it up in is too short if you do not blow the whistle until there is danger of collision. The whistle must be blown before there is risk of collision. If you wait until then, I think it will be too late.

Mr. Hall (Great Britain).—Mr. President, may I suggest that if we adopt the principle of making these sound-signals compulsory that it is then simply a question of drafting, which might be referred to the Collocation Committee. I see the great force of the observations which have fallen from the gallant Delegate from France. If the Delegate will only look carefully he will see that the words, "with which there is risk of collision," although they are added for the purpose of precising the Rule, really add nothing whatever to the Rule, because it says in the first part of the amendment, "In taking any course authorized or required by these Regulations." Of course they are only authorized by the Regulations when there is a risk of collision. Therefore, these words are tautology. I think that the question of the wording had better be left to the Collocation Committee to meet the objections of the Delegate from France.

Mr. Verney (Siam).—Mr. President, I may just rise to say that I hope the suggestion which has just fallen from the gallant Delegate will be adopted. Perhaps I may say one word in regard to the matter. It does seem to me that if the principle which the Delegate from the United States has embodied in this new amendment is introduced it will, to a great extent, diminish the risk of confusion which I thought it my duty to bring to the attention of the Conference this morning.

The President.—Does the Delegate from Great Britain move to adopt this amendment?

Mr. Hall (Great Britain).—I think the learned Delegate from the United States might find it desirable merely to have his amendment adopted in principle and leave it to the Collocation Committee to alter the verbiage.

Mr. Goodrich (United States).—Mr. President, perhaps it will meet the views of the learned Delegate from Great Britain if I withdraw the suggested amendment and let the original amendment be passed. That is, strike out the words, "and with which there is risk of collision," with the understanding that if, when the principle of this original amendment is adopted, there should be found to be anything wrong in the statement or in the wording, it can be added, so as to make it clear, in the Collocation Committee. With the permission of the Conference I will withdraw the words which I suggested, leaving the amendment to be passed upon by the Conference and to determine the principle of making the Rule mandatory instead of permissive.

Captain Shackford (United States).—Mr. President, I will detain the Conference just one minute. I want to say that after twenty-five years' experience with steam-ships, until the learned Delegate from Siam told us this morning that there was one pilot who thought that these signals should not be made compulsory, I have never heard from any one in this country an opinion that the signals should not be made compulsory.

The President.—Is the Conference ready for the question? The Secretary will please read the amendment.

The amendment is as follows:—

"**Article 19.** In taking any course authorized or required by these Regulations a steam-vessel under way shall indicate that course to any other vessel which she has in sight by the following signals on her steam-whistle, namely:—

"One short blast to mean, 'I am directing my course to starboard.'

"Two short blasts to mean 'I am directing my course to port.'

"Three short blasts to mean 'I am going full speed astern.'"

Mr. Hall (Great Britain).—And also strike out the word "steam" in the second line.

The Secretary.—That is another amendment.

Mr. Goodrich (United States).—I desire to leave out the words "and with which there is risk of collision."

The President.—The Delegate from Great Britain wants to know whether or not you desire to withdraw the word "steam."

Mr. Goodrich (United States).—I have no objection to that.

The President.—The question now is upon the amendment which the Secretary has just read, the sixty-fourth amendment.

The question upon the amendment was put to the Conference, and carried.

The President.—The next amendment in order will be No. 65, Article 19.

Mr. Hall (Great Britain).—Mr. President, the sixty-seventh amendment is to include a definition of the term "short blast." At present there is no short blast provided for in these Rules, but we have thought it desirable, especially having regard to what has been pointed out at an early stage of this discussion by the gallant Delegate from France as to the difficulty sometimes of precising a short blast, that if the short blast were used in conjunction with the long blast it would be desirable to make some definition so that it would not be confounded with the prolonged blast prescribed in the Rule. We have thought, therefore, that if we made it of about one second's duration, we would get over the various difficulties which have been pointed out, and there can be no chance of a sailor mistaking it for any other signal.

The President.—The Chair announced that the sixty-fifth amendment is the one in order.

Mr. Hall (Great Britain).—I beg your pardon, Sir. I thought it was the sixty-seventh.

The President.—The sixty-fifth amendment is in order. The Secretary will please read it.

The amendment is as follows:—

"In taking any course authorized or required by these Regulations a steam-ship under way shall indicate that course to any other vessel which she has in sight by the following signals on her whistle, namely:—

"One short blast to mean 'I am directing my course to starboard.'

"Two short blasts to mean 'I am directing my course to port.'

"Three short blasts to mean 'I am going at full speed astern.'"

Captain Van Steyn (the Netherlands).—Mr. President, as the principle has been adopted that the whistle could be blown by something else than steam, I have not thought it necessary to give any further explanation of the reason why I wish to strike out the words "steam-whistles."

Captain Mensing (Germany).—Mr. President, in Article 12 it is prescribed that a steam-ship shall be provided with a whistle or other efficient steam sound-signal.

The President.—Does the Delegate from the Netherlands desire to withdraw the amendment?

Captain Van Steyn (the Netherlands).—No, Sir; I only say that the principle has been already adopted.

The President.—The question, then, is upon the adoption of the amendment of the Delegate from the Netherlands.

The question was put to the Conference upon the amendment, and carried.

The President.—The sixty-seventh amendment is now in order.

Mr. Hall (Great Britain).—Mr. President, I need not repeat what I have just said with regard to this amendment.

The President.—The amendment will be read by the Secretary.

The sixty-seventh amendment is as follows:—

"In taking any course authorized or required by these Regulations, a steam-ship under way shall indicate that course to any other ship she has in sight by the following signals on her steam-whistle, viz:—

"One short blast to mean 'I am directing my course to starboard.'

"Two short blasts to mean 'I am directing my course to port.'

"Three short blasts to mean 'I am going full speed astern.'

"The term 'short blast' used in this Article means a blast of about one second's duration."

The President.—Is the Conference ready for the question on this amendment?

The question was put to the Conference upon this amendment, and carried.

The President.—The next amendment in order is the ixty-eighth amendment. The Secretary will please read it.

The sixty-eighth amendment is as follows:—

"Article 19. In taking any course authorized or required by these Regulations, a steam-ship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, namely:—

"One short blast to mean: I am directing my course to starboard.

"Two short blasts to mean: I am directing my course to port.

"Three short blasts to mean: I am going full speed astern.

"Four short blasts to mean: I am stopping

Mr. Verbrugghe (Belgium).—Mr. President, in moving this amendment, I have thought it proper that one signal should be made for the intermediate manœuvre between stopping and going at full speed astern. The case may occur when steam-ships may be following each other very closely, and a signal of the fact that the head vessel intends to stop will be sufficient to give the vessel astern time to get out of the way. But I understand that the Committee on Sound-Signals are now to go over this proposition. As I have full confidence in the position which they will take upon my amendment, I will propose, if the Conference is likely to agree, that we wait until the Report of that Committee is on the table. I do not insist upon it, if the Conference wish a vote upon it now. But I understand that this matter has been under consideration in the Committee on Sound-Signals.

Admiral Nares (Great Britain).—Mr. President, the Committee on Sound-Signals are considering this question; but whether we shall have characters enough to give that signal is rather doubtful. But we have been considering it. I think you may leave it to the Fog-Signal Committee, and we will report upon it to the Conference.

Mr Verbrugghe (Belgium).—Mr. President, I am quite satisfied with that.

The President.—The Delegate from Belgium moves to postpone this matter until the Report of the Fog-Signal Committee comes up.

The motion was put to the Conference, and carried.

Admiral Viel (Chile).—Mr. President, I have been requested by the Delegates from Brazil to inform the Conference that, by reason of the news received from their country, they will not have the honour to attend the Conference until they shall have received further instructions.

The President.—The announcement has been made that the Delegates for Brazil will not assist further in the deliberations of the Conference until they shall have received further instructions, in consequence of the news from that country.

The Conference then took a recess until 2 o'clock.

After Recess.

The President.—The first business in order is extra amendment No. 29.

The amendment is as follows:—

"A steam-vessel, when approaching another vessel which she has in sight, so as to involve risk of collision, may, in taking any course authorized or required by these Regulations, indicate that course by the following signals on her steam-whistle:—

"One short blast to mean: I am directing my course to starboard.

"Two short blasts to mean: I am directing my course to port.

"Three short blasts to mean: I am going full speed astern.

"The term short blast means a blast of about one second's duration.

"The use of these signals is optional.

"It is suggested that provision be made in this Article for sound-signals in reply to a vessel signalling by sounds."

Mr. Verney (Siam).—Mr. President, I think I may save the time of the Conference by saying that the principle of this amendment has already been discussed. There is only one matter, which comes at the end of the amendment, which I venture to suggest; that is, that it would be unnecessary to put in the words, "but if they are used the course of the ship must be in accordance with the signals made," because it seems to me that there might be mistakes made where the officer in charge would be anxious to remedy that mistake by changing the course of his vessel after signals had been made. I have consulted with several seamen who are members of this Conference, and they do not seem to regard the Rule as an absolute prohibition, so that I do not press this amendment. I will confer with the Collocation Committee, and they will deal with this Rule. I am quite willing to withdraw the amendment.

The President.—The amendment is withdrawn. The next subject for consideration is the sixty-ninth amendment to Article 20. The Secretary will please read it.

The amendment is as follows:—

"Article 20. Notwithstanding anything contained in any preceding Article, every ship, whether a sailing-ship or a steam-ship, overtaking any other, shall keep out of the way of the overtaken ship.

"Any ship coming up with any other ship from any direction more than two points abaft her beam, *i.e.*, in such a position with reference to the vessel she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking-ship; and no subsequent alteration of the bearing between the two ships shall make the overtaking-ship a crossing-ship within the meaning of the Regulations, or relieve her of the duty of keeping clear of the overtaken ship until she is finally past and clear of her.

"As by day the overtaking-ship cannot always know with certainty whether she is before or abaft this direction from the other ship, she should, if in doubt, assume that she is an overtaking-ship, and keep out of the way."

Mr. Hall (Great Britain).—Mr. President, I explained when I had the honour of introducing this amendment, at the first reading of these Rules, the object we had in view in proposing it. There is no doubt whatever that there have been cases in which a vessel which has been overtaking another vessel, has occasionally attempted to excuse herself, from obeying this Rule, by saying: I was not an overtaking-vessel, because I had got in front of your beam, and directly I got in front of your beam we were then crossing-vessels; therefore, it was your duty to keep out of my way. I think that all sailors will agree with this: That if one vessel overtakes another the duty is upon her to comply with the Rule, with the spirit as well as the letter of the Rule, that she shall keep out of the way of the vessel she is passing, and she is not to excuse herself for not obeying this Rule, both in the spirit and in the letter, by being able to say: It was true I was an overtaking-vessel, but directly I got in front of your beam I was no longer an overtaking-vessel; then it was your duty to keep out of my way.

I venture to say that we have drawn this Rule from the actual words which were used by one of our most eminent Judges in order to describe what an overtaking-vessel is. Therefore, we have thought it desirable to put any doubt at rest in the mind of the sailor as to what an overtaking-vessel is, and to lay it down so that there shall be no mistake whatever about it. I think that all sailors will agree with the principle which is there laid down. We want to compel a vessel which overtakes another vessel to do it at her own risk and to make her keep out of the way. If we do that she will be obliged to take such precaution that a collision will be rendered practically impossible. I therefore have the honour to move this amendment.

The President.—The Secretary will please read the amendment before the sense of the Conference is finally taken upon it.

The amendment is as follows:—

"Article 20. Notwithstanding anything contained in any preceding Article, every ship, whether a sailing-ship or a steam-ship, overtaking any other, shall keep out of the way of the overtaken ship.

"Any ship coming up with any other ship from any direction more than two points abaft her beam, *i.e.*, in such a position with reference to the vessel she is overtaking that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking-ship, and no subsequent alteration of the bearing between the two ships shall make the overtaking-ship a crossing-ship within the meaning of the Regulations, or relieve her of the duty of keeping clear of the overtaken ship until she is finally past and clear of her.

"As by day the overtaking-ship cannot always know with certainty whether she is before or abaft this direction from the other ship, she should, if in doubt, assume that she is an overtaking-ship and keep out of the way."

The President.—Is the Conference ready for the question?

The question was put, and the amendment was carried.

The President.—The next order of business is Article 21, the seventy-fifth amendment. The Secretary will please read the seventy-fifth amendment.

The amendment is as follows:—

"Article 21. In narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fair-way or mid-channel which lies on the starboard side of such ship. At the entrance of a narrow channel, principally when it is curved in shape, she shall blow her whistle to indicate her presence to any other ship."

Admiral Viel (Chile).—Mr. President, after having made this proposition, and after having heard the discussion of the sailing Rules, I consider it necessary to ask permission of the Conference to withdraw my proposition.

The President.—The Delegate from Chile desires to withdraw the seventy-fifth amendment. If there is no objection it will be withdrawn. The next amendment for consideration is extra amendment No. 25. The Secretary will please read it.

The amendment is as follows:—

"Small handy vessels, when in narrow waters, where there is insufficient room for large vessels to manœuvre with freedom, shall not attempt to cross the bows of such large vessels so as to involve any risk of collision; but nothing in this Rule shall exonerate a large vessel from doing everything that is practicable to avoid collision."

Mr. Hall (Great Britain).—Mr. President, may I point out that this being an entirely new Rule, having no bearing whatever upon the present Rule, that perhaps it would be desirable, following our Rule, to discuss it when we have dealt with the existing Rules. It is a new principle. Perhaps I might point out to the Delegate from China that it would be a very difficult thing to define a vessel, a small handy vessel, which should not cross the bows of large vessels. There might be a suggestion to mariners; but it is obvious that a Rule for mariners would not be advisable unless every vessel knew for certain that the other vessel was to keep out of her way. Otherwise we should have both vessels acting and there would be danger.

I may state to the gallant Delegate from China that we sympathize with him most strongly in his object, as we know how much large vessels are hampered by small vessels coming under their bows and causing great danger. But unless we can precise exactly what the vessels are, in tonnage and size, which are to keep out of the way, we shall be really incurring more danger than exists at present, because the big vessel will never know whether the other vessel is bound to keep out of her way or not. I venture to point this out to him. I can tell him that we should be very anxious, if it were possible, to carry out the principle which he proposes, and I am sure he will pardon me if I venture to call these difficulties to his mind before we discuss the Rule.

Perhaps I may point out to the gallant Delegate from China that we think it is very possible that this will be best met with by local Rules. In the River Thames we have local Rules which provide for this very difficulty, and it is a matter, no doubt, which he will agree with us is more for local waters. I know that in China, especially, this difficulty arises very frequently in narrow waters where there is not much room for large vessels to manœuvre. If so, I would venture to suggest to him that possibly it would be best met by a local Rule, such as we have on the Thames.

The President.—If there is no objection this Rule will lie over until the existing Rules have been disposed of. The next amendment in order is extra amendment No. 7, Article 21.

The amendment is as follows:—

"*Steamers in Narrow Channels.*

"Article 21 (*a*). Every ship, whether a sailing-ship or a steam-ship, shall, before entering narrow channels, reduce her speed as indicated in the proposed Article 2 (*a*) and (*b*).

"(*b*). In narrow channels every steam-ship shall, when it is safe and practicable, keep to that side of the fair-way or mid-channel which lies on the starboard side of such ship."

Mr. Flood (Norway).—Mr. President, I think it would be very desirable to have a Rule to compel big steamers or sailing-ships—but particularly steamers—to moderate their speed on going into narrow channels. I will candidly say that I was prompted to this by the discussion on the 22nd of October, in which it was advocated that small boats were to keep out of the way of big steamers. We have been told that they should be run down. The gallant gentleman present mentioned that the "City of New York" ought to have run down that small boat instead of going aground. I do not think that is quite fair. I think that the inland waters are just as much for the small boats and sailing-boats as for the large steamers. Of course, the small boats have the right to keep out of the way of steamers. But when the steamer comes into a narrow channel at high speed, I do not think it is enough for her only to keep on one side of the channel.

I say that the true principle is the one which I have laid before the Conference—that steamers should also reduce speed in going through narrow channels. That "City of New York" passed into the channel at 8·45 P.M., when, if it was not exactly dark, it was after sunset, at a very high speed, and it was a hard fate, almost sure death, to get under the bow of that steamer. I think the captain did right to go aground and to pay 50,000 dollars to get off, rather than to run down that small boat. I take the liberty of proposing this amendment to Article 21. My amendment, in this as in everything else I propose, is only as to the principle, and not with regard to the wording. It is only the principle which I would like to call to the attention of the Conference, that steamers should moderate their speed before entering narrow channels.

Mr. Goodrich (United States).—Will the learned Delegate from Norway permit me to call his attention to the remark which was just made by the learned Delegate from Great Britain, with regard

to the amendment proposed by the Delegate from China, and say that it seems to me that this is a matter which is pre-eminently a case coming within the suggestion of the Delegate from Great Britain? These narrow channels are almost always within the limit of a nation, and they may well be dealt with by local Rules. I can see one difficulty in the interpretation of this Rule on board the ship and in the Courts, as to what would constitute a narrow channel. If that be true, you cast some doubt upon a Rule which should be perfectly clear. Let me call his attention to the fact that such subjects have been dealt with in this country by local authorities. For instance, in the State of New York there is a provision as to vessels passing up the East River, in a narrow channel and crowded thoroughfare, that they shall not proceed, I think, beyond the rate of 10 miles an hour. That applies especially, and was passed to govern the action of the great sound steamers that go from New York to Stonington and Boston. It does seem to me that this is a Rule which had better be dealt with by the local authorities.

Mr. Flood (Norway).—Mr. President, I fully agree with the statement of the learned Delegate from Great Britain, and also those of the First Delegate from the United States, Mr. Goodrich, that this proposition comes very properly under the local Rules. But I am one of those who strongly advocate that these Rules should be established so that they can be used all over the world. There are a good many places in which the channels are narrow, which are travelled by thousands and thousands of vessels, for instance, the sound going into the Baltic, where men-of-war of the largest order and fishing-vessels of the smallest order crowd the waters. I do not say too much when I say that at certain seasons of the year this sound is passed by thousands of vessels. The channel is very narrow and partly crooked. To come back again to the point: I think that when we provide in the Rules that the large steamers should go upon one side of the channel, it is not enough. They should be required to reduce their speed if circumstances permit. If circumstances do not permit them to go otherwise than at full speed, let them go; but if the circumstances do permit, require them to go at a reduced speed. In going through Hell Gate and going up the East River, as Mr. Goodrich mentioned, a steamer must have a certain headway. She cannot endanger her own safety and the safety of her passengers by going at less than a certain rate. But I should think it would not be very difficult to have a provision at the end of the present Article 21, that a steamer should also be compelled to go at a reduced speed, as in Article 13.

Mr. Hall (Great Britain).—Mr. President, may I point out to the gallant Delegate from Norway that this is a matter of the ordinary precautions to be adopted by seamen, and is perfectly well met by the general Rule. I find that the Supreme Court of the United States has gone so far as to hold that when there are two vessels in narrow channels, it is a part of the ordinary precautions of seamen, if necessary, for one vessel to actually stop. For instance, if there is a tide-way, she ought to stop and allow the other to proceed. It is a matter of the ordinary precaution of seamen, and it is really impossible for us to put into the Rules provisions to govern the conduct of seamen under all circumstances. Certainly the Delegate from Norway will see that this is what a prudent seaman ought to do under the circumstances. I think that every sailor sitting at this table will say that if a man chooses to go into a narrow channel so as to bring about a collision, he would be to blame under Article 24 of the present Rules.

I would ask the Delegate from Norway, especially having regard to the expressed opinion of all the Delegates as to the great inconvenience of overloading these Rules with exceptional cases, whether he would think it necessary to press this amendment. As I have pointed out, it is a matter of the ordinary precautions of seamen, and the United States Supreme Court has actually held that in a narrow channel, where there are two vessels, one vessel was to blame for not stopping her engines, because she ought to have waited to allow the other vessel to go by. If we are to pass Rules for every possible contingency and every condition of affairs which may arise, these Rules, instead of being some thirty in number, would have to be numbered by the hundreds.

Mr. Goodrich (United States).—Let me further call the attention of the learned Delegate from Norway to the adoption of the provision suggested by myself to Article 13, about moderating the speed of the steam-ship, and to ask whether that does not indicate that that is the proper course to pursue in a narrow channel. Of course that relates to fog and thick weather, but the same principle would apply where the circumstances of the case required a vessel to go at a moderate rate of speed.

Mr. Flood (Norway).—Mr. President, I will not press my amendment. I have brought this before the Conference to express my idea and to have the amendment discussed, so as to obtain the opinion of the Conference. After what the learned Delegates from Great Britain and the United States have said, and as I do not understand that anybody supports my amendment, I will ask permission to withdraw it without putting it to a vote.

The President.—The Delegate from Norway desires to withdraw the amendment. If there be no objection it will be withdrawn. The next subject for consideration is the seventieth amendment.

The amendment is as follows:—

"Every single vessel shall keep out of the way of a vessel having another one in tow."

Captain Settembrini (Italy).—Mr. President, I withdraw this amendment.

The President.—If there be no objection it will be withdrawn. The seventy-first amendment to Article 24 is next in order, and the Secretary will please read it.

The amendment is as follows:—

"Article 24. Nothing in these Rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case.

"This Article particularly applies to those measures and precautions which are necessary to insure the greatest attainable security of vessels in a fog, thick weather, or falling snow.

"All persons liable under the law shall be held responsible should they neglect to take such measures and precautions as may be necessary to insure the greatest security of the vessel attainable under the circumstances; for instance, to increase the number of officers on the bridge and the number of look-outs, to close the port-holes and doors between water-tight compartments, to moderate the speed of the vessel according to circumstances, if necessary even so far as to stop the vessel in the water or to bring the vessel to an anchor."

Dr. Sieveking (Germany).—Mr. President, with your permission I beg to say that this was intended to be a substitute under Article 13, and that Article having been dealt with, this amendment is disposed of, in my opinion, and I beg to withdraw it.

The President.—The amendment is withdrawn by general consent. The next subject for consideration is Article 25, the seventy-second amendment. The Secretary will please read it.

The amendment is as follows:—

"*Reservation of Rules for Harbour and Inland Navigation.*

"Article 25. Nothing in these Rules shall interfere with the operation of a special Rule duly made by local authority relative to the navigation of any harbour, river, or inland navigation.

"However, such special Rule must not—additional signals excepted—deviate from the Regulations regarding lights and fog-signals in as far as concerns fair-ways also frequented by common seagoing vessels."

Mr. Hall (Great Britain).—Mr. President, might I point out to the gallant Delegate from Denmark the difficulty which I have no doubt he has noticed, and that is, that I do not see how we could dictate to any foreign country as to what Rules she should make for her own local waters. It is absolutely impossible to do so. I will also point out that the difficulty which he wishes to meet is met by and should be met by any vessel which is going into strange waters, either obtaining a pilot or obtaining a copy of the Rules which apply to these local waters. I am sure he will see it is impossible for us to dictate to foreign Powers what Rules they shall have with regard to local waters. I know that there are frequently different lights carried on local waters, but it is impossible for us to dictate what lights are necessary to be carried in those waters. Any vessel can find out what she is to do by either taking on a pilot or by getting a copy of the Rules for those local waters.

Mr. Garde (Denmark).—Mr. President, may I be allowed to call attention to the case which has caused this amendment? The vessel had a pilot who knew the local Rules. But the fact was that she met a vessel coming from one part of the River Scheldt, and under the law those vessels carry different lights from those which seagoing vessels carry. Now, seagoing vessels cannot change their lights according to the local Rules applied to the Scheldt; therefore, they cannot do anything but take their chances. In this case there was a collision, for which they had to pay. Therefore, we have limited our amendment so that it can only read:—

"However, such special Rule must not, additional signals excepted, differ from the Regulations regarding lights and fog-signals in so far as concerns fair-ways also frequented by common seagoing vessels."

I will call attention to the fact that there is another amendment which has been proposed by the learned Delegate from Germany, the thirteenth amendment, which, in other words, is in the same direction as ours. It is proposed in this manner:—

"That the following International Rules and Regulations for preventing collisions at sea shall be followed in the navigation of all public and private vessels upon the high seas, and in all waters connected with the high seas, and navigable by seagoing vessels."

Dr. Sieveking (Germany).—Mr. President, I beg leave to point out to the gallant Delegate from Denmark that this amendment has not the bearing which he thinks it has. Of course, if we insert this preliminary remark we shall only say that the following International Rules and Regulations for preventing collisions at sea shall be followed in the navigation of all public and private vessels upon the high seas, and in all waters connected with the high seas and navigable by seagoing vessels. We would only say that the following International Rules shall be followed in effect, and then, as a part of these following Rules, comes Article 25, which says:—

"Nothing in these Rules shall interfere with the operation of a special Rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation."

So that it clearly appears that this amendment only embraces the principle that where there is no local Rule which interferes with the International Rules, the International Rule is the proper Rule for local waters also. But it does not interfere in any way with the sovereignty of the States, as the learned Delegate from Great Britain has pointed out. It is impossible for us to dictate to the Sovereign Powers that their Legislatures are forbidden from taking such and such steps within their own territory. Of course it could be done in one way only, and that is by making these Rules the subject of an International Treaty, then the different Powers would be bound, and the Rules could be altered only by common consent.

But I do not think that anybody will for a moment entertain the idea that that is a principle which ought to be adopted. The Rules must be laid before every country, and it is for each country

to say whether they should be adopted or not. It is not by a Treaty which binds all nations, but it is by a uniform legislation, of different nations; and, the law, which is a binding one, is only a law to each nation, and not the law of a legislative body which rules all the nations of the world. Are we the legislating body for the whole world? Certainly not. But we are Delegates from a number of Governments, who want to lay before their Governments these Rules, to be adopted by them for preventing collisions at sea. So it would be impossible to bind the Sovereign Powers by such a thing as is proposed by this amendment.

Mr. Verbrugghe (Belgium).—Mr. President, may I be allowed to occupy the attention of the Conference for a moment, to correct a statement of the honourable Delegate from Denmark, on what is, on his part, a misunderstanding? This amendment has been brought about on account of a case occurring on the River Scheldt. That case has already been referred to in the Conference, and on that occasion a pamphlet was distributed to every member of the Conference. I want to state that there is no Rule to compel a seagoing vessel upon coming into the Scheldt to change her lights. Every seagoing vessel is allowed to come with her lights up the River Scheldt, according to the decision of our Supreme Court, which is final. But there are Rules for the navigation of the Scheldt which are common to both countries on account of a Treaty, and they provide for lights for inland vessels for the river navigation. Those lights are a green light on the foretop and a red light on the aftertop.

The case is a very simple one, and if I may be allowed I will illustrate it. The Danish vessel, of which I do not know the name, was navigating the Scheldt, going down, and the river vessel was coming up. It was hazy or misty weather, and on account of the state of the atmosphere the Danish vessel was stopped or was about to stop, when, of a sudden, she saw a green light. She thought that it was the starboard light of another vessel which she had to pass, and instead of dropping her anchor, which she intended to do, and which would have given her the right to the road, she put her helm to starboard to get out of the way. Unhappily, it was a vessel under way, with river lights, and the collision occurred. I regret that this amendment has been proposed, and by that means has given a certain notoriety to this fact. Everybody will believe there are peculiar Rules on a river frequented as much as the River Scheldt, and will think it strange vessels should be obliged to change their lights when they come into the navigation of that river.

Mr. Garde (Denmark).—Mr. President, I would only make a single remark as to what the learned Delegate from Germany has said about our intending to propose that it should be dictated to foreign Governments to adopt a Rule of this kind. That, of course, has never been our idea; we have the same opinion, as has been explained by the learned Delegate, that only proposals were to come from this Conference, leaving the Government of each country to adopt these proposals or not. Therefore, I cannot see that a proposal of this kind would interfere in such a manner with the sovereignty of the different nations so as to make it impossible of suggestion. I do not see why, in that view, the amendment could not be accepted. On the other hand, if there is no support given to the amendment, it is an impossibility, of course, to pass it.

The President.—Does the Delegate wish to withdraw the amendment?

Mr. Garde (Denmark).—Yes, Sir.

The President.—The amendment is withdrawn by general consent. The next subject for consideration is amendment No. 73, to Article 26. The Secretary will please read it.

The amendment is as follows:—

"Article 26. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station- and signal-lights for two or more ships of war, or for ships sailing under convoy, or the exhibition of recognition-signals adopted by shipowners, duly registered and published to all foreign Governments, provided that the said signals are not so arranged as to cause confusion or mistake."

Captain Van Steyn (the Netherlands).—Mr. President, I think it is not necessary to give a long explanation for introducing these words. Formerly we had only to deal with the lights for squadrons and convoys; but of late years there have been introduced so many of these signals that I think it necessary that they should be taken as provided for in this Article. If we adopt this amendment, I think that we must also alter the heading of it so as to say only "special lights," instead of "special lights for squadrons and convoys."

Mr. Hall (Great Britain).—Mr. President, my colleagues are fully aware that these signals are frequently used by the various lines, and, so far as we can see, there is no objection whatever to allowing them to be used. I would only venture to suggest the insertion of words in the amendment, only to allow such signals to be used as are authorized by the respective Governments to which the vessels belong, so that they can be registered, and then they are advertised, and can be found by anybody in the books. This would not lead to any mistakes. I would suggest to insert after the words "shipowners" the words "which have been authorized by their respective Governments." As soon as they are recognized by the Governments they will be registered and authorized, so that everybody will know what the signals are.

Captain Van Steyn (the Netherlands).—Mr. President, I have no objection to accepting the suggestion of the learned Delegate from Great Britain. We also think that they should decide upon a heading for the Article, whether it should stand as it is now, "Special Lights for Squadrons and Convoys," or whether it should be only "Special Lights."

The President.—Does the Delegate from the Netherlands wish to have the matter referred to the Collocation Committee?

Captain Van Steyn (the Netherlands).—Yes, Sir; I will adopt that suggestion.

The President.—The amendment will be put now as altered. The Secretary will please read it.

The amendment is as follows:—

"Article 26. Nothing in these Rules shall interfere with the operation of any special Rules made by the Government of any nation with respect to additional station- and signal-lights for two or more ships of war, or for ships sailing under convoy, or the exhibition of recognition-signals adopted by shipowners, which have been authorized by their respective Governments, duly registered and published to all foreign Governments, provided that the said signals are not so arranged as to cause confusion and mistake."

Captain Richard (France).—Mr. President, I have the honour to request the Conference in no wise to interfere with the operations and with the signals of war-vessels. Until now the Rule has been a wise one, in that it left war-vessels free to carry such position- and signal-lights as they chose. Will you find any sanction of the Article which reads as follows: "Vessels which are duly authorized by their respective Governments"? What will be the result of this Rule? As you have authorized these signals you will likewise interfere with the signals approved by each Government. It is to a certain extent conferring a patent-right to which you possess no right. Until now these Rules have been made without interfering in any manner with the signals of war-vessels or merchant-vessels. I request that the Conference will continue in this course.

The President.—The question is upon the amendment of the Delegate from the Netherlands.

Dr. Sieveking (Germany).—Mr. President, I thought there was no doubt about it that the amendment which has been proposed, in which the words "which have been authorized by their respective Governments" are inserted, referred only to the recognition-signal. Of course, they do not refer to the signals given by the men-of-war. Those signals are not interfered with at all. I think that will remove any doubt which may be held by the gallant Delegate from France. The wording may be a little doubtful, but that is a matter for the Collocation Committee.

Mr. Goodrich (United States).—If you add the word "and," I think you will meet the objection, so as to read, "adopted by shipowners, and which have been duly authorized by their respective Governments."

Mr. Hall (Great Britain).—Mr. President, I would point out to the gallant Delegate from France that this difficulty may be met by the adoption, in the Collocation Committee, of a different conjunction or preposition. I think we can do it.

The President.—The question now is upon the seventy-third amendment to Article 26, proposed by the Delegate from the Netherlands.

The question upon the amendment was put to the Conference, and carried.

The President.—The next subject for consideration is Article 27, amendment No. 77. The Secretary will please read it.

The amendment is as follows:—

"Article 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun fired at short intervals of about a minute.

"Second. The International Code signal of distress, indicated by N. C.

"Third. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

"At night—

"First. A gun fired at short intervals of about a minute.

"Second. Flames on the ship (as from a burning tar-barrel, oil-barrel, and one at a time) at short intervals.

"Third. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals."

Mr. Flood (Norway).—Mr. President, I do not want to occupy the time of the Conference to any great extent. I said, when this was brought before the Conference at first, that I thought it ought to have general consent. I only propose to strike out the words "about one minute," and to make it in both cases read, "at short intervals." I gave at that time the reasons, which I need not repeat now. They are the practical reasons that sailors are not very adept gunners in general, and still less when they are in distress; it would be hard for them, under this Rule, to fire a gun every minute. I think that "short intervals" would be satisfactory; or, if anything should be added, to make it a maximum or a minimum time, I would propose five minutes. I should think, however, that "short intervals" would be sufficient.

The President.—Does the Delegate wish to change his amendment?

Mr. Flood (Norway).—No, Sir; I do not propose to change it.

The President.—The question is upon the seventy-seventh amendment to Article 27.

Mr. Hall (Great Britain).—Mr. President, I hope that we shall not change the well-known distress-signals called the "minute gun," which every sailor knows, without giving some reason for it. Of course, if a vessel cannot fire a gun every minute, she will fire it as fast as she can. Unless there is some reason for changing it, I think it a great pity to change this Rule. So far as I know, there has been no practical reason given for changing the Rule.

Mr. Flood (Norway).—Mr. President, I repeat that I will not occupy your time. I will only state that the practical reason is this: The Rules in my country, and in most countries, provide that on every ship there are to be two small guns. Now, I ask any practical seaman if he can comply with that Rule of firing minute guns when he has only two guns? I also gave another reason by showing that

there have been terrible accidents, and that one poor sailor met his death by attempting to fire the gun every minute when the barrel was hot, and the gun burst. We have tried to make it an established principle throughout these Rules that they should be taken according to their wording, and so, when it is said to fire a minute gun, it ought to mean to fire the gun every minute. I think that sailors should be allowed to fire it at short intervals, as quickly as they can. The words "short intervals" do not prevent them from firing the gun every minute. I ask the Conference to take this into consideration before we decide against it.

Captain Malmberg (Sweden).—Mr. President, although I have not had occasion to fire any distress-signals, I would like very much to support the amendment of Mr. Flood, to change the expression "about a minute," to the words "at short intervals," because I do not think it is possible for merchant-ships to comply with the Rule. I may say that not one in thousands of them can comply with the Rule at present.

Admiral Bowden-Smith (Great Britain).—Mr. President, I hope the Conference will not change this signal, which has been known from time immemorial. I must object to the statement made by the Delegate from Norway, that it would not be possible to fire a small signal-gun as often as once in a minute. I will say to him and to the other gentlemen that if they cannot fire their small signal-guns once in a minute, then, for Heaven's sake, don't let them fire them at all, because they cannot know anything about it. There is not the slightest difficulty in a man's firing a gun. He can fire a small gun with a blank cartridge three times in a minute. The Rule only says "about a minute," so that, if he cannot fire the gun every minute, he can take two minutes, and if he cannot fire it in two minutes he can take three minutes. We will know what he means if we hear it every three minutes, and we will know what he means if we hear it once every minute.

Mr. Goodrich (United States).—Mr. President, let me make another suggestion, which I make with some diffidence, not knowing the custom of the sea, and that is, that there is no other signal which could be mistaken for this, even if it were fired every two or three minutes. This is not a Rule which provides for danger against other people. There is no penalty attached to it, and no legal liability for not complying with it. It seems to me that it had better be left as it is. I am sure that any American boy, who is accustomed to celebrating the 4th of July in exploding cannons and fire-crackers, would be able to fire his little gun every minute easily.

Mr. Hall (Great Britain).—Mr. President, may I supplement that by saying that I really do not think we ought to alter the Rule because some man is so stupid as to try to fire off a gun which is not fit to be fired.

The President.—Is the Conference ready for the question?

The question was put upon the amendment, and was lost.

The President.—The next amendment for consideration is amendment No. 78 to Article 27. The Secretary will please read it.

The amendment is as follows:—

"Article 27. When a ship is in distress and requires assistance from other ships, or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun fired at intervals of about a minute.

"Second. The International Code signal of distress, indicated by N. C.

"Third. The distant signal, consisting of a square flag having either above or below it a ball, or resembling a ball.

"At night, or during mist or falling snow—

"First. A gun fired at intervals of about a minute.

"Second. Flames on the ship (as from a burning tar-barrel, oil-barrel, &c.).

"Third. Rockets or shells, throwing stars of any colour or description, fired one at a time at short intervals."

Lieutenant Beaugency (Chile).—Mr. President, if we oblige a ship to make some signal in the daytime, it is more important that she should make some signal in the night.

Captain Mensing (Germany).—Mr. President, I would like to ask the gallant Delegate from Chile how he is going to make that signal N. C. to be seen in mist, fog, or falling snow.

Lieutenant Beaugency (Chile).—Mr. President, I beg the pardon of the gallant Delegate from Germany. The amendment is printed wrong. It ought to be in the night-time, and not in the daytime.

Captain Sampson (United States).—Mr. President, I was about to say that this would be the only resource left to a sailor under these circumstances. He could not do anything else.

Captain Mensing (Germany).—Mr. President, I just want to point out that they cannot see flames in mists, nor can they see a rocket or shell. The gun is the only thing which is left to them.

Lieutenant Beaugency (Chile).—You can see the flames or the rockets much farther in a fog than the signal N. C.; perhaps half-a-mile farther.

Captain Mensing (Germany).—I do not believe these signals could be seen half-a-mile in a fog, mist, or falling snow; neither could a rocket or shell in the daytime.

Admiral Bowden-Smith (Great Britain).—Mr. President, the next amendment also bears upon this question, and there is a new signal going to be proposed. Perhaps it might be discussed with this amendment, because if any such thing as a continuous blowing of the whistle is adopted, of course it is the very thing that is available in a fog, or at night, or in the daytime.

Captain Van Steyn (the Netherlands).—Mr. President, I will point out that the next amendment has been substituted by another one, so I propose to withdraw amendment No. 79.

The President.—The Delegate from the Netherlands desires to withdraw amendment No. 79,

and if there be no objection it will be withdrawn. The question now is upon the seventy-eighth amendment, proposed by the Delegate from Chile. It will be read again, for the information of the Conference.

"Article 27. When a ship is in distress and requires assistance from other ships, or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun fired at intervals of about a minute.

"Second. The International Code signal of distress, indicated by N. C.

"Third. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

"At night, or during fog, mist, or falling snow, or heavy rain-storms—

"First. Guns fired at intervals of about a minute.

"Second. Flames on the ship (as from a burning tar-barrel, oil-barrel, &c.).

"Third. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals."

The President.—Is the Conference ready for the question?

The question was put to the Conference upon the amendment, and the Chair was unable to decide.

The President.—The roll will be called by Powers, as the Chair is unable to decide.

Austria-Hungary	Nay.	Japan	Nay.
Belgium	Nay.	Mexico	Yea.
China	Nay.	Norway	Nay.
Chile	Yea.	Portugal	Nay.
Denmark	Yea.	Spain	Yea.
France	Nay.	Sweden	Nay.
Germany	Nay.	Siam	Nay.
Great Britain	Nay.	The Netherlands	Nay.
Hawaii	Nay.	United States	Nay.
Italy	Nay.		

The President.—Four have voted in the affirmative and fifteen in the negative, so the amendment is lost. The next amendment, No. 79, has been withdrawn. The next is amendment No. 81. The Secretary will please read the eighty-first amendment, Article 27.

The amendment is as follows:—

"Article 27. When a ship is in distress and requires assistance from other ships, or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun fired at intervals of about a minute.

"Second. The International Code signal of distress indicated by N. C.

"Third. The distant signal, consisting of a square flag having either above or below it a ball, or anything resembling a ball.

"At night—

"First. Guns fired at intervals of about a minute.

"Second. Flames on the ship, as from a burning tar-barrel or oil-barrel, and so forth.

"Third. Rockets or shells, of red colour, fired one at a time at short intervals."

Lieutenant Beaugency (Chile).—Mr. President, I desire to suggest as a distress signal, rockets or shells of red colour, fired one at a time at short intervals. During our last war on many occasions when our ships were at sea, in a squadron at night, they had no other signal except the rockets and in many cases the ships were led to believe that the signals were from ships in distress. I have suggested that they should fire only the red rockets. They will never be mistaken.

Mr. Hall (Great Britain).—Mr. President, with regard to this proposition, I am sure that we desire to meet the views of the gallant Delegate from Chile. I dare say it has escaped his attention that distress signals are to be fired at short intervals. It would not be like the signals which take place between vessels in his country; but it is the repetition of the rockets at short intervals which is the signal of distress. May I point out that if we were to adopt this amendment every vessel would have to carry a special set of rockets in case she should ever get in distress. Rockets get out of condition, I am told, very soon. They do not keep long. A vessel would have to be supplied with red rockets, if the present proposed Rule is adopted: whereas now, if a vessel gets into distress, she sends up the first rocket she can get hold of, and keeps firing them. I think there could be no mistaking this signal for the signal of a vessel in the Navy. I hardly think that we ought to require small vessels to carry rockets of a particular kind, to be used when she got in distress. Let her use any rockets she has on board, and do not compel her to carry red rockets, which she may never use, and which are so liable to get out of order that she would have to renew them without ever using them.

Lieutenant Beaugency (Chile).—I can see the great difficulty which the learned Delegate from England has pointed out about having a special kind of rocket.

Captain Mensing (Germany).—Mr. President, I would like to know whether this proposal to have red rockets is not proposing something very dangerous. I know of a case which has happened in our Navy where an iron-clad, in the Bay of Havana, had her signal-lights, which were of a red

colour, take fire. It has never been found out clearly what was the cause of the fire, but it was considered that it must have been the colour either of the red signals or the green signals which was at fault, and the spontaneous combustion came very near causing us to lose a ship. I think it quite possible that it was the red colouring matter. If so, by introducing this proposal we might bring in quite a serious danger.

Mr. Hall (Great Britain).—Mr. President, I am told also that there is a scientific reason which makes red rockets very unsafe things to carry in southern latitudes. I am told that the principal thing which is used in the manufacture of them is strontium; and that it is a very dangerous thing, liable to spontaneous combustion. Some of our vessels in very hot weather have thrown their red rockets overboard, for fear of combustion.

The President.—The question is upon the amendment of the Delegate from Chile.

The question upon the amendment was put, and lost.

The President.—The next subject for consideration is extra amendment No. 6. The Secretary will please read it.

The amendment is as follows:—

"Article 27. When a ship is in distress and requires assistance from other ships, or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun or any explosive signal fired at intervals of about a minute.

"Second. The International Code signal of distress indicated by N. C.

"Third. The distant signal, consisting of a square flag having either above or below it a ball, or anything resembling a ball.

"Fourth. A continuous blowing of the whistle, or a continuous ringing of the bell.

"At night—

"First. A gun or any explosive signal fired at intervals of about a minute.

"Second. Flames on the ship (as from a burning tar-barrel, oil-barrel, and so forth).

"Third. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals.

"Fourth. A continuous blowing of the whistle, a continuous ringing of the bell, or showing so many lanterns one above the other that the signal cannot be mistaken for any signal existing.

"Vessels in want of a pilot have to display their national flag with a white border or make the signal indicated by P. F. at the fore.

"At night, together or separately—

"The pyrotechnic light, commonly known as a blue light, every fifteen minutes, or a bright white light, flashed, or shown, at short or frequent intervals just above the bulwarks for about a minute at a time."

Captain Van Steyn (the Netherlands).—Mr. President, the reason I have proposed this amendment is to meet, in the first place, the case of providing an explosive signal by a vessel which has no gun on board, which is a case that very often occurs. The fourth paragraph provides for a continuous blowing of the whistle or a continuous ringing of the bell, because they are almost always at hand. So, at night, the fourth paragraph provides for a continuous blowing of the whistle and a continuous ringing of the bell or the showing of many lanterns one above the other, so that the signal cannot be mistaken for any signal existing. I have put that signal in because sometimes there may be vessels in the neighbourhood too far away to hear the sound-signal, and by seeing all these lanterns hoisted they would know that it was a signal from a vessel in distress. I want to call attention to the fact that there is a mistake in the print here, and that it should read, "Vessels in want of a pilot have to display their national flag with a white border, or make the signal indicated by P. T. at the fore," instead of "P. F."

Mr. Hall (Great Britain).—Mr. President, I think that we shall all be pleased to adopt the proposed amendment that a vessel may fire an explosive signal instead of a gun, if necessary. With regard to the proposal of a continuous blowing of the whistle or a continuous ringing of the bell I think perhaps we had better refer that, as we have all matters of whistles, to the Committee on Sound-Signals. They can deal with it immediately. So far as I can see, there is no objection to it; but as we have given them the somewhat onerous duty of dealing with the signals, I think they will be able to make a harmonious code if we leave it to them. With regard to the latter part of the amendment, we are quite ready to adopt the proposal of the gallant Delegate from the Netherlands, especially as they are practically the International Code signals for pilots at the present time. With regard to the continuous blowing of the whistle or the continuous ringing of the bell at night, I think that, if we refer that to the Committee, perhaps the gallant Delegate will not think it necessary to press the latter part of his amendment about showing so many lanterns, one above the other. Perhaps he will not think it necessary to press this part of his amendment. It might lead to confusion, which I am very sure the gallant Delegate is anxious to prevent.

Captain Van Steyn (the Netherlands).—Mr. President, I take that suggestion. I only want to ask whether under this Article there should also be inserted the signals for a tug; however, I have no proposal with regard to that matter.

Mr. Hall (Great Britain).—Mr. President, perhaps I may tell the gallant Delegate for the Netherlands that signals have been put into the International Code for a tug. If so, it would be very unwise for us to overload our Rules by putting in these signals.

The President.—The question then will be with regard to "a gun or any explosive signal fired at intervals of about a minute."

The question upon this amendment was put to the Conference, and carried.

The President.—The Chair understands that all the rest of the amendment is referred to the Sound-Signal Committee.

Captain Malmberg (Sweden).—Mr. President, are signals for pilots to come in under Article 27, which is headed "Distress signals?"

Mr. Hall (Great Britain).—Mr. President, the heading will be altered in the Collocation Committee.

The President.—The next amendment in order will be extra amendment No. 19. The Secretary will please read it.

The amendment is as follows:—

"Article 27. When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, that is to say:—

"In the daytime—

"First. A gun fired at intervals of about a minute, or detonating rockets throwing any colour of smoke.

"Second. The International Code Signal of distress indicated by N. C.

"Third. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

"At night—

"First. A gun fired at intervals of about a minute.

"Second. Flames on the ship (as from a burning tar-barrel, oil-barrel, and so forth).

"Third. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals."

Mr. Tsukahara (Japan).—Mr. President, I will withdraw this amendment.

The President.—The Delegate from Japan desires to withdraw this amendment. If there be no objection it will be so ordered. The next amendment will be extra amendment No. 43.

Captain Salvesen (Norway).—Mr. President, as the contents of this amendment have already been adopted in principle, leaving the wording to the Collocation Committee, I beg to withdraw that amendment.

The President.—Extra amendment No. 43 is withdrawn by general consent. The twelfth amendment is in order now. The Secretary will please read it.

The amendment is as follows:—

"When the Rules are made I propose that they be given an Appendix, containing definitions of those terms used in the Rules which it may be necessary to explain, in order to have them properly understood."

Mr. Hall (Great Britain).—Mr. President, may I point out to the gallant Delegate from Norway that all matters have been referred to the Collocation Committee upon which there is any dispute as to the meaning, and therefore it will not be necessary to have an Appendix.

The President.—Does the Delegate from Norway withdraw that amendment?

Captain Salvesen (Norway).—Yes, Sir.

The President.—Amendment No. 12 is withdrawn by general consent. Amendment No. 13 is now in order.

The amendment is as follows:—

"That a preliminary be inserted to the following effect: That the following International Rules and Regulations for preventing collisions at sea shall be followed in the navigation of all public and private vessels upon the high seas, and in all waters connected with the high seas and navigable by seagoing vessels."

Mr. Goodrich (United States).—Mr. President, I suggest to the learned Delegate from Germany that this matter be referred to the Committee on Collocation, of which he is a member.

Dr. Sieveking (Germany).—Mr. President, if the Conference is of the opinion that there is no objection whatever to the principle, the adoption of this amendment would be implied by referring it to the Collocation Committee.

I think, so far as I have heard, that there will be no objection to such an Article being adopted, providing that these Rules should apply to all the waters navigated by seagoing vessels, unless, of course, there are territorial Rules to the contrary.

Mr. Hall (Great Britain).—Mr. President, I think it will be necessary that words should be put in to make it clear that it is not intended to override the local Regulations.

Dr. Sieveking (Germany).—Mr. President, that is understood, because Article 25 forms a part of these Rules.

Mr. Hall (Great Britain).—Mr. President, as it is merely a heading to be inserted to the Rules, possibly the Collocation Committee will be able to deal with it.

The President.—Does the Delegate from Germany wish a vote on this amendment, or will he have it referred to the Collocation Committee?

Dr. Sieveking (Germany).—I beg to suggest whether it should not be considered as adopted, unless there is objection. If it is referred to the Collocation Committee, I think the adoption of it is implied.

Mr. Goodrich (United States).—Will the learned Delegate allow me to suggest that it might be shortened so as to read as follows: "The following International Rules and Regulations for preventing collisions at sea shall be followed in the navigation of all public and private vessels upon the high seas and in all waters connected therewith."

Dr. Sieveking (Germany).—That, of course, would be a matter for the Collocation Committee to consider. It would be a mere matter of wording. I take it, if there is no objection, the principle will be adopted.

Mr. Hall (Great Britain).—Mr. President, of course, if we attempt to deal with this here it compels us to go into the matter in detail. I cannot see the necessity of putting in the words "all public and private vessels." Of course they apply to all vessels. There is no distinction between a man-of-war and a merchantman. The Rules apply to all vessels; and the use of such language would, I should think, imply that there had been some doubt hitherto as to whether they applied to a man-of-war, to merchantmen, and to yachts. It might be supposed that there had been some distinction. There has been no distinction at all. I do not think it is necessary to put in a description with regard to a point upon which there is no doubt whatever.

Admiral Bowden-Smith (Great Britain).—Mr. President, speaking for myself, I should like to say that I cannot see the object of this Rule, although I am quite willing to leave it to the Collocation Committee. I will merely speak now to give myself the opportunity of objecting if I see fit to do so.

Dr. Sieveking (Germany).—Mr. President, if there is any doubt about the principle, I think I must say a word about it. Whatever you may call the Rules here, if they were not provided with such a preamble, the question would arise, how far is the operation of these Rules to go. We must give an answer to that question. If we say, The following Rules are for preventing collisions at sea, the question would arise, What is the extent of the territory, or what is the extent of the validity of these Rules? The question is not without practical importance. There are some countries, notably the United States, that have framed their legislation in such a way as to say that the following Rules are to be observed by all vessels belonging to the United States on the high seas.

Then there is a second law saying that the following Rules have to be observed by all vessels belonging to the United States on inland waters. Of course that is not the accurate wording of the law, but that is the meaning. Therefore, the legislation of the United States being formed in this manner, there is no law given by the United States to say that the vessels belonging to the United States have to follow these Rules in foreign inland waters connected with the sea, navigable by seagoing ships. There is no doubt of the intention to make these Rules binding upon United States' ships in foreign inland waters, which are not the high seas, but which are navigated by seagoing vessels, subject to the proviso which gives precedence to the inland territorial Rules. I do not attach any importance to the wording. That can be left to the Collocation Committee. I have taken this from the preamble contained in the German law, as may be seen by reference to the Report of the Committee of which I had the honour of being the Chairman.

Mr. Goodrich (United States).—Mr. President, the only thought which I had was that this had better be a matter very carefully considered by the Collocation Committee, of which the honourable Delegate from Germany is an esteemed member, and then, having carefully considered the proper language, it could be submitted to the Conference. I suppose that we all agree that these are Rules for the navigation of all vessels on the high seas and all navigable waters.

Dr. Sieveking (Germany).—Mr. President, that is the only thing which I want. If the Conference has no objection to this, then I am quite agreeable to leaving the whole matter to the Committee.

The President.—Does the Delegate from Germany desire to have the principle adopted?

Dr. Sieveking (Germany).—Mr. President, I think the Conference practically agree to the principle, and that it should be referred to the Collocation Committee.

Mr. Goodrich (United States).—Mr. President, I do not think there is any difference on that point. We practically decided that when we struck out the words "seagoing" from the second and third Articles. I think that, if it were referred to the Committee on Collocation, it would give a great deal better satisfaction.

Dr. Sieveking (Germany).—I fully agree with that.

The President.—If the Delegate has no objection, it will be referred to the Collocation Committee. The next subject for consideration will be the twenty-sixth amendment. The Secretary will please read it.

The amendment is as follows:—

"Translated to English from the Swedish text at the head of the Swedish Regulations.

"Regulations for Preventing Collisions between Vessels and for Signals to be made by Vessels in Distress."

Captain Malmberg (Sweden).—Mr. President, amendment No. 26 was not exactly meant by me to be taken as an amendment to these Regulations. While the Conference, on the 18th October, was discussing whether the words "seagoing" in Article 3 should be eliminated, I wanted to give a translation of the Swedish text for the purpose of showing that the words "at sea" were not inserted in the Swedish Regulations, and that the Swedish text also contained a reference to the signals to be made by vessels in distress. At the same time I regret very much that the first line of the text, in the amendment, was inserted through mistake. It was quite unintentional.

The President.—What disposition does the Delegate wish to have made of this amendment?

Captain Malmberg (Sweden).—I would desire to have it referred to the Collocation Committee.

The President.—If there be no objection, it will be referred to the Collocation Committee.

Mr. Flood (Norway).—Mr. President, I desire to withdraw the seventy-sixth amendment.

The President.—If there be no objection, the amendment will be withdrawn. The next subject for consideration is the thirty-ninth amendment to Article 2, which was postponed until the Report of the Committee on Lights for Small Vessels came in.

Mr. Hall (Great Britain).—Mr. President, I move that this be taken up to-morrow, when we have had an opportunity of reading the Report of the Committee on Lights for Small Vessels.

There are one or two small amendments with which we could occupy our time this afternoon. There s one of the gallant Delegate from China with regard to small handy vessels; and there is an amendment of the learned Delegate from Germany with regard to vessels towing. I think that we should deal with these this afternoon, and then take Articles 7, 9, and 10 to-morrow.

The President.—If there be no objection, the amendment of the Delegate from China will be taken up.

Captain Bisbee (China).—Mr. President, I withdraw that amendment.

The President.—The Delegate from China withdraws his amendment.

Mr. Hall (Great Britain).—There is the sixtieth amendment, which the gallant Delegate from Sweden postponed until we could consider it in conjunction with the amendment of the learned Delegate from Germany. The sixtieth amendment is to be considered in conjunction with extra amendment No. 42. These are two Rules dealing with vessels towing, Then, I am happy to say, we have got through with the amendments, except as to Articles 7, 9, and 10.

The President.—The Secretary will please read the sixtieth amendment to Article 15.

The amendment is as follows:—

"Article 15. When a vessel, whether a steam-vessel or a sailing-vessel, meets another vessel towing, and there be danger of a collision, the first-named vessel shall keep out of the way of the vessel towing."

The President.—Extra amendment No. 42 will be read in connection with amendment No. 60.

The amendment is as follows:—

"Article —. When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing.

"When a steam-vessel towing one or more vessels is approaching a sailing-vessel, whether towing one or more vessels or not, so as to involve risk of collision, the steam-vessel is to keep out of the way of the sailing-vessel.

"When two steam-vessels, both of which are towing one or more vessels, or when two sailing-vessels, both or either of which are towing one or more vessels, are approaching one another, so as to involve risk of collision, they are subject to the Rules for steam-vessels and sailing-vessels respectively."

Dr. Sieveking (Germany).—Mr. President, will you allow me to make a few remarks in support of this amendment? You will see that it is the intention to embrace all the cases imaginable where vessels towing are concerned. When the present Rules were framed, vessels towing were not of such importance as to require any particular attention. So, when we look at these Rules as they now stand, we find that this particular case has never been thought of. The case of a vessel towing, according to the Rules as they now stand, must be judged according to the Rules which did not have this case in view, but which have clearly in view the case of two single vessels approaching one another. They did not consider the tugs and towing-vessels at all; but they are framed so that they might be applied. In the course of experience, and the years which have elapsed since these Regulations were adopted, cases of collision with vessels towing have given rise to an application of the present Rules.

There are certain cases about which there is no doubt whatever. For example, if a sailing-vessel towing another sailing-vessel is meeting another sailing-vessel, the general Rules apply and regulate the course to be taken by the sailing-vessel; and that applies whether both sailing-vessels are towing, or whether one of them is towing only. Again, if two tugs and tows or two towing-vessels, where both are steamers, are meeting, the Rules apply which are given for two single steamers meeting.

So far as these principles are concerned, this amendment does not intend to give anything new; only we have thought it desirable to mention the cases. Perhaps, however, that would be a mere matter of wording, and a subject for the consideration of the Collocation Committee. These should be taken as implied in the Rules without altering them. But in one case the amendment proposes an alteration of the present Rule, and that is in the beginning, where it is said: "When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing." I need not say that when a steam-vessel is approaching a sailing-vessel which is towing another vessel, whether a steam-vessel or a sailing-vessel, it would be decided now, without anything being said, that the steam-vessel is to keep out of the way. Still there might be doubt about it. It could, perhaps, be construed by some persons not to be quite clear that if a sailing-vessel is towing a steamer, another steamer should keep out of the way. It might be considered a matter of doubt whether a steamer approaching such a sailing-vessel is to think that she is approaching a steamer or a sailing-vessel, because as is known, the governing power rests with the tow, and the tow is the vessel commanding the tug.

Again, where a steamer meets a tug with a sailing-vessel in tow, the steamer might say, "I am meeting a steamer having a sailing-vessel in tow." The steamer is the agent of the sailing-vessel. Then, what have I before me? Have I got a sailing-vessel or a steamer? The sailing-vessel is the vessel which has the command. I must decide the question. I take it, I have got a sailing-vessel before me, because the governing power is with the sailing-vessel.

The question is whether a single steam-vessel is not to keep out of the way of other vessels towing, as a general principle. It has been shown by experience and acknowledged by the Courts that a tug or a sailing-vessel towing another vessel is very much encumbered, not only when more vessels than one are being towed, but when one vessel only is being towed. She is more encumbered than single vessels are. The general principle which pervades all the Rules is that he who is master of the situation has to keep out of the way. That is the general principle.

The question is, who is master of the situation, a single steamer approaching or a vessel towing? I think it would be a proper answer to this question to say that the single steam-ship is the master of the situation, and therefore is to keep out of the way. Perhaps it might be objected that it would be a great annoyance for single steamers to have to keep out of the way of every tug or every vessel towing one or more vessels! The tug or towing-vessel might be very bold and say, We have got the right of way, and the law is that other vessels have to keep out of the way, and then she would go down a tortuous river, perhaps, without taking any care whatever, and she might strike across the bow of another vessel meeting her in any way she could.

To meet this objection, I should like to say, first of all, that it appears to me to apply only to rivers where local Rules generally exist. Then, we need not be very much afraid of such consequences, because the common prudence of seamen and the common rules of seamanship forbid a tug to cross the bow of another vessel and annoy her. Then, besides, we have resolved upon a Rule which requires the privileged vessel to keep her course and speed, so she could not alter her course or speed, and indulge in the reckless navigation of trying to cross the bows of other vessels. The principle comes to a question, chiefly, on the high seas. We have heard only this morning that there is a very important commerce carried on here by tugs and coal-vessels being towed along the coast of the United States on the high seas, and that there are often from four to six of these crafts in a tow.

Now, I think it would not be too much to say that they cannot keep out of the way of steamers approaching them, and that they ought to be privileged. There is one other thing which to my mind decides this question. If we take these vessels under tow as being steamers, and say that they are to be treated as steamers, the rule would apply which compels them to keep out of the way, and also to slacken their speed, to stop and reverse, under the circumstances mentioned by the general Rule. A tug could not do so. A tug cannot stop the vessel which is behind her. She cannot stop and reverse her engine with the effect that the vessel behind her would go astern; hence the Rule would not be applicable. That is another reason for saying and for justifying the principle that when a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she should keep out of the way of the vessel towing.

Captain Malmberg (Sweden).—Mr President, after what the honourable Delegate has said on this question I have very little to add, because he has stated exactly what I desired to say. My amendment includes also sailing-vessels, and provides that they have to keep out of the way of steamers towing. I should say that it is just as easy for them, generally speaking, to keep out of the way of steamers towing as it is for steamers towing to keep out of their way. I only hope that the Conference will take these amendments under consideration, so that at last a Rule will be passed to make it applicable to sailing-vessels and steamers.

Captain Shackford (United States).—Mr. President, if I understand this amendment, it entirely changes the present Articles 15 and 16, where two ships are meeting and two ships are crossing. It also compels a steamer 400, 500, or 600 feet long to get out of the way of a tug 50 feet long towing another one 50 or 100 feet long. It seems to me that the best argument in favour of the present Rule is that I do not remember of any case of a collision where one vessel was not in fault. Therefore, it seems to me that the Rules must have worked very well, and I think it would be very dangerous to change them.

Captain Malmberg (Sweden).—Mr. President, the honourable Delegate from the United States speaks about a vessel towing another vessel 50 or 100 feet long. I will ask him whether there are not steamers towing with a length of tow of 1,000 or 1,500 feet, and whether it is not more difficult for a long tow to keep out of the way than it is for a single steamer?

Captain Bisbee (China).—Mr. President, I have a few remarks which I would like to offer on this subject.

I take it that all proposals which have been brought before this Conference to give a vessel in tow any privileges that she does not possess under the steering and sailing Rules now in force, are based on the assumption that such a vessel is not under command. Now, even a large vessel when in tow, with one or more tugs alongside, and such tugs being of sufficient power to justify them in attempting to tow her, is certainly as completely under command as a steamer is when she is under way and using her own ordinary means of propulsion; she is in no proper sense a vessel not under command, and is, therefore, not entitled to, and should not be given, any exceptional privileges.

A vessel being towed astern of the towing vessel is, of course, not so completely under command as when towed alongside, inasmuch as the tug cannot back upon her and hold her in check as she could if alongside; but, so long as the tug is making headway through the water, a vessel thus towed is under command for all purposes of navigation under circumstances where it is justifiable for vessels to tow in that manner.

I believe that the helm sound-signals which are now in use, and which it would seem this Conference is disposed to make compulsory, provide sufficiently for any case when a steamer having a vessel in tow may desire to ask the privilege of departing in any way from the ordinary Rule of the Road for vessels meeting, and I am strongly of opinion that any Rule which should give more than this to a steamer towing would greatly increase the dangers now incidental to navigation, instead of diminishing them; for if you once lay down a law that other vessels must keep out of the way of a vessel that is being towed, its effect will be to encourage those in charge of such towing-vessels to take risks which they would otherwise have avoided.

I may say that I have seen a great deal of towing under all the difficulties that attend such work in narrow channels, where the tides are very strong, but never till I came here have I heard any one advocate that a towing-vessel should be granted any special privileges, or that she stood in need of any.

As regards a sailing-vessel towing another vessel, the actual practice and conditions at the present time are such that the towing-vessel would be sure to be met by a steam-tug in the outer approaches of the port for which she was making, and would be certain to engage a tug or to come to anchor

before she arrived where the navigation was so crowded as to make it unsafe for her to proceed under the present Rules.

Mr. Goodrich (United States).—Mr. President, as the hour of adjournment is close at hand, with the permission of the Delegates, I suggest that we continue the session for a few moments, until we can discuss this subject, so that we will not be compelled to take it up to-morrow morning. If there is no objection I will proceed upon that theory.

The President.—There is no objection.

Mr. Goodrich (United States).—Mr. President, this is a radical change, and I have as yet seen no cause for such a change as is suggested by the Delegate from Germany. The fact that the Rule has worked well heretofore, as at present adopted, is a very good reason why we should not change it, unless some manifest reason is given for the change, especially where the change is so radical as that which is at present contemplated by this amendment. We are reversing the whole law and practice of the sea by such an amendment as this, because the gentleman will observe that it is a well-understood principle of law and practice that a tug and tow, by the intendment of law, are one subject, and therefore when a steam-tug or any other steam-vessel is handling the tow she is a vessel under steam, and heretofore these vessels have been governed by the Rules, as they have been enforced for many years, without any serious danger happening to them.

Think for a moment of what I said in regard to another Rule. There are vessels towing up-coast from southern ports to Boston, across the line of the great steam-ship route. Is it possible that one of the great steam-ships shall be compelled to keep out of the way of a vessel towing another single vessel under all circumstances? I can see a reason why, in certain waters, such a Rule as this might sometimes have a good effect; but you are making a general Rule that a tow-boat, having a vessel or vessels in tow, has the right of way. Take the case where a steam-tug is towing a little vessel alongside, where, even if it were not for the rule of law as I have just stated it, the two would be clearly one structure; is a great steam-ship to go out of the way of a little vessel of a hundred tons towing another vessel of a hundred tons alongside? I think that is the intendment of this proposed amendment of the Rule.

We have assisted, so far as the night is concerned, tow-boats which are towing other vessels, by providing for an extra light; but it would be going a very great way, it seems to me, for us to provide that steam tow-boats shall have the right of way, no matter what the size of the tow, or whether they are under command or not. Besides, I am free to say that under the twenty-third Rule there may be circumstances under which a big steamer may keep out of the way of a long tow; but these are special circumstances, and are not to be provided for in a general Rule. It does seem to me to be a question of very serious moment whether we shall disturb the law and practice of the sea; whether we shall by vote destroy all that we have done in this Conference by adopting a Rule which makes an exceptional case destroy the whole Rules of the Road; because you are reversing every steering and sailing Rule if you do this. So far as the tug having a vessel in tow is concerned, you are giving her a privilege over every class of vessel, which seems to me to be a very startling proposition.

Mr. Hall (Great Britain).—Mr. President, I will not say one word on the very strong point advanced by the learned Delegate from the United States as to the very radical changes proposed here to-day. May I just say one or two words with regard to what the result of this proposed change would be? I take it as the law that a tug is not to take more vessels in tow than she can manage; but if everybody is to give way to tugs, it will be a great inducement to them to take in charge more vessels than they can manage. I have come across a good many cases where collisions have been caused by tugs breaking the Rules; but I cannot call to memory a single case where a collision has been brought about by a tug obeying the Rules.

I go farther and say that there may be exceptional circumstances; but this Rule ought not to be drafted for special circumstances. What is the good of having seamen at all if they are not to be able to act under exceptional circumstances? Under Articles 23 and 24, if the master of a vessel sees that another vessel is not able to manœuvre, or that she is in a heavy tide-way, and is not able to stop or reverse, or if the tug cannot stop because the tow would crowd down upon her, then these are exceptional circumstances to be governed by Rules 23 and 24. Under such circumstances the large vessel would be grossly to blame if she did not keep out of the way of the vessel towing. Having regard to that fact, I think this would be a strong inducement to tugs to break the existing law. They would say, "We are justified in doing it under the Rules."

Captain Salvesen (Norway).—Mr. President, I shall only make the remark about this amendment that it plainly shows the necessity of adding to the Rules a definition of what shall be understood by "vessel" within the meaning of these Rules. In the beginning of the Conference we were a little puzzled by what was meant by the words "seagoing ship" as they stand in the present British Rules. We found it had to be altered to "vessel." I happened, the other day, to have a look in an old English Act, 17 & 18 Vict., cap. 104, in which was said something to this effect: that *ship*, within the meaning of this Act, includes every description of vessel used in navigation, not propelled by oars. Now, we have somehow altered this, and instead of the word *ship* we say *vessel*.

The learned Delegate for the United States stated, in the beginning of the Conference, that the proper meaning of the word "vessel" was—I cannot quote the exact words—that "vessel" included all means of transport afloat, even a raft. Now, the present amendment gives a *vessel towing another vessel* the right of way. I am not lawyer enough to say whether a captain would be held justifiable if he, in order to get the right of way, lowered one of his boats and took it in tow; but I am sure many sailors who were going out to sea, having in tow the cutter in which the pilot, for instance, should go ashore, would say, "I have a vessel in tow, and you had consequently better keep out of my way."

I make these remarks, not because I have so much to say against the amendment in itself, but only to show the necessity if we stick to the word "vessel" adopted, to give it a more restricted meaning.

Mr. Goodrich (United States).—I must beg my gallant friend not to charge me with such a

definition of the word "vessel" as to include a raft. I said "vessel" was a generic term which comprises floating vehicles, if I may speak of them in that way. I also stated that the word "ship" was a more specific term, applying to square-rigged three-masted vessels.

Dr. Sieveking (Germany).—Mr. President, as to the difficulty which has just now been raised, of course we could meet that by considering the wording a little more carefully as to what vessels are to be comprised in it. You could take the case where a sailing-vessel is going on, towing her own boats behind her, and you might say then that she is towing and would come under the Rule; but such cases are not comprised in the Rule as we propose it. The proposed Rule only refers to cases where a vessel towing another vessel is in an encumbered position. Now, let me add a few remarks as to the arguments which have been brought forward by the learned Delegate from the United States. He has said it is quite an established principle that when the tug and tow are together they are considered to be one structure only. I know that principle, of course, very well, but it applies to quite a different case, and not to this case at all. It applies to the responsibility of one vessel for the other. If it applied to this case I would meet his argument by the following question: If they are both one structure—a sailing-vessel and a steamer—what sort of a steamer are they, or what sort of a sailing-vessel are they? They are one structure; but they are two different vessels. What structure is to prevail? You cannot frame an answer to this question.

The question is for a practical man to say whether a sailing-vessel or a steam-vessel towed by a steam-vessel, or being towed by a steam-vessel, is so encumbered and is in such a position as to justify the giving her a privilege—a privilege, of course, only as against single steamers and not as against sailing-vessels. I think that it cannot be disputed that they are encumbered, and that there is at least a very good reason for considering whether or not they should be privileged. They certainly are under command. That is quite clear. But that is not sufficient to answer the question. They are under command, but they cannot follow the command so easily as other vessels, and that is proved by the fact that they cannot reverse. If they cannot reverse, then take the case where a tug and tow approach another single steamer and have that steamer on their starboard side, and the Rules say the tug is to keep out of the way.

What if they are so close to each other that the tug cannot do so by shifting the helm, because she has got vessels in tow which make the length of the whole vessel over 1,000 or perhaps 1,500 feet, as it very often happens. Perhaps the tug could shift the helm in time to avoid the other vessel; but the vessels behind the tug in tow would swing out of their course and would form an obstacle in the way of the other vessel, which might very easily make it impossible for the tug to avoid the collision. The only remaining manœuvre would be for the tug to reverse, and the tug cannot reverse. So I think it is quite clear that there is reason for considering this special case. It is said that this would destroy the whole Rule. It does not destroy the whole Rule at all. It merely follows out the spirit of the Rule. If the spirit of the Rule is, that he who is master of the situation ought to keep out of the way, then the master of the situation in this case which I am dealing with, is the single steamer. I think there can be no doubt about that question.

Admiral Nares (Great Britain).—Mr. President, take a seaman's view of this. I have had many a vessel in tow, and I do not agree that I was not under command. I do not agree that I could not back. The vessels that I had in tow could always steer to starboard or port, and I took care of the hawser. There is no difficulty whatever about it. The main fact, if this Rule is adopted, is that my young officers in charge of the deck of a steamer seeing certain lights on their starboard bow in one case, have got to get out of the way, and in the other case they have got the right of way. They are two totally different occasions, and you will be certain to give great trouble if you adopt anything of this kind.

Captain Mensing (Germany).—Mr. President, I would like to ask Sir George Nares whether he proposed to say that it will be quite impossible to see any other lights on her starboard side. We have got fishing-lights and anchor-lights, and we are going to have a tow-light. Then we have all the sailing-vessels. These young officers will have to learn that they have to get out of the way of the ship both on the port and the starboard sides.

Admiral Nares (Great Britain).—You are quite right. I made a mistake in saying starboard for port. An officer having a steamer on his port side, or having a tug on his port side, at present, whatever is on his port side, has only one Rule. If you alter the Rule as proposed, in one case he will have to do one thing, and in another diametrically the opposite.

Captain Mensing (Germany).—Mr. President, I do not think I have made myself fully understood. Of course, when he sees a light to starboard he has got to get out of the way—in a steamer to starboard; yes. But he has other lights to see and know. I would like to ask this question: If the ship towing and the tow are to be considered as one structure, why has that one structure to show the lights of two ships; and if there is no difference to be made in favour of towing-vessels, why is there a light adopted for them? I do not see any reason why there should be a light given to a class of ships if it has no meaning whatever. If they have to keep out of the way and have no rights or duties imposed upon them, why not leave it just as it is?

It has been said that the Rule, as proposed, would be the destruction of the Code of Rules, and that it would form a radical change; I beg to differ most emphatically from that view advanced by the learned Delegate from the United States. I think that if he will go to the port of New York he will see such cases daily. There are, for instance, coming from one side of the port large barges or scows on which there are a great many freight cars that are being towed from Jersey City to New York, Brooklyn, &c. I have often seen a steamer of over 400 feet in length stop and reverse in order to let the scows pass. Now, you may say, of course, that this can be left to local Rules; but I want to make the point that this is not a radical change, and that it is adopted here in the ports, where it may be seen daily by the honourable Delegate for the United States.

There is one other thing which has been said here: It has been said that there should be a difference made between large ships and small ships. And the learned Delegate from the United

States said something to the effect that he did not see why a large ocean steamer, coming across from the other side, should go out of the way of a little tug-boat, perhaps only 50 feet long, having another ship in tow which was, perhaps, only 50 feet long. I think that this is the first time that this principle has found such a very able expounder. I cannot agree with what the gallant Delegate from Great Britain says with regard to going astern. I believe that if a ship goes astern under sail, or has to go at full speed astern to avoid a vessel. then these two ships would swing around and if there were two or three ships under tow there would be a collision. It is required by the Rule that every ship which has to keep out of the way of the course-keeping ship shall, if necessary, not only stop but reverse. In that case I do not see how it is possible to avoid a very bad collision.

Another distinguished Delegate from Great Britain has said that he thought it would induce a steamer to try to take care of more vessels than she could manage properly. I do not think he will find that to be the case, because the only thing over which he has the right of way would be a steamer, and I think it is just as difficult to get out of the way of a sailing-vessel as a steamship.

Mr. Goodrich (United States).—Mr. President, no man can give a definition of what the structures referred to by the learned gentleman from Germany are. I should say generally that it would be determined according to the vessel which was in command of the tow; but that is a pretty general description, and I purposely make it general. If it was a steam-vessel towing another vessel, whether under steam or sail, or both, I should say it was a steam-vessel. If it was a sailing-vessel in command of the whole structure, I should say, on general principles, it was a sailing-vessel. The principal fact we are called upon to decide is the question as to the danger involved in the Rule. When two distinguished gentlemen like the gallant Delegate from Germany and the gallant Delegate from Great Britain, as they seem to differ, cannot understand in the same way the proposed amendment, it seems to me very clear that the passage of such an amendment as this would bring great confusion into the Rules.

As to these vessels in New York of which the gallant Delegate from Germany has spoken, he has referred to the fact that in a crowded harbour like that of New York the great tows are avoided. But under the present Rules they are given a *quasi* right of way, and that is evidence to my mind that the present Rules are sufficient to meet these cases. Doubtless the steamer which gives way to these towing-vessels justifies her giving way under the twenty-third Rule. If that be so, the present Rules are sufficient.

The point which I tried to make before was this, that having made a Code of Rules, as we have practically done, at this moment we are going to add a Rule which, for the benefit of a tow-boat, overrides the rest of the Code. We are going to put sailors into just such confusion as the gallant Delegate from Germany and the gallant Delegate from Great Britain are now in. They cannot understand each other or understand the Rule.

Admiral Nares (Great Britain).—I do not think we differ very much. The gallant Delegate from Germany and myself both have the same thing in view. He wants to make a law of it, and I want to leave it as it is now, to the generosity of sailors.

Captain Malmberg (Sweden).—Mr. President, I only wish to say that I think there are very few captains of ships who consider that a steamer towing, is, with the tow, to be considered as one structure. Such a Rule as this has been found necessary, and has been found to work well in Sweden, where such a Rule is contained in the Regulations.

Dr. Sieveking (Germany).—Mr. President, I really beg leave to say that I have very much confidence in the generosity of sailors; but I think if we act upon that principle we do not need any Rules at all.

The President.—The question will be upon the sixtieth amendment.

The amendment is as follows:—

"Article 15. When a vessel, whether a steam-vessel or a sailing-vessel, meets another vessel towing, and there be danger of collision, the first-named vessel shall keep out of the way of the vessel towing."

The question was put, and was lost.

The President.—The question now is upon extra amendment No. 42, which will be read.

The amendment is as follows:—

"When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing.

"When a steam-vessel towing one or more vessels is approaching a sailing-vessel, whether towing one or more vessels or not, so as to involve risk of collision, the steam-vessel is to keep out of the way of the sailing-vessel.

"When two steam-ships, both of which are towing one or more vessels, or when two sailing-vessels, both of which are towing one or more vessels, are approaching one another so as to involve risk of collision, they are subject to the Rules for steam-vessels and sailing-vessels respectively."

Dr. Sieveking (Germany).—Mr. President, I propose to put to a vote only the beginning of this amendment.

The President.—The first paragraph of the amendment will be read and put to a vote.

The first paragragh of the amendment is as follows:—

"When a steam-vessel is approaching another vessel which is towing one or more vessels, so as to involve risk of collision, she is to keep out of the way of the vessel towing."

The amendment was put to the Conference, and lost.

The President.—The second paragraph will be read.

Dr. Sieveking (Germany).—Mr. President, the first part is the only part which is of importance. I would, therefore, like to withdraw the remainder of the amendment.

The President.—The Delegate from Germany withdraws the two last paragraphs of the amendment.

The Conference thereupon adjourned until Tuesday, the 19th November, 1889, at 11 o'clock A.M.

Washington, Tuesday, November 19, 1889, 11 *o'clock* A.M.

The Conference met at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The Secretary will please read an invitation for the information of the Conference.

The invitation is as follows:—

"Dear Sir, "*Washington, D.C., November* 18, 1889.

"On behalf of the New York and Cuba Mail Steam-ship Company, and of the Delaware River Iron Ship Building and Iron Works, I request the pleasure of the company of yourself and ladies, and of all the honourable members of the International Marine Conference, and their ladies, at Chester, Pennsylvania, on the 23rd instant, to witness the launching of the steam-ship "Orizaba." Arrangements will be made for special trains, and when completed I shall inform your honourable Secretary. Meanwhile, I shall feel much obliged if you will be kind enough to advise me of the acceptance of the honourable Delegates who will favour us with their company on the occasion.

"Respectfully.

(Signed) "WILLIAM H. T. HUGHES.

"William W. Goodrich, Esq.,

"United States' Delegate to International Marine Conference."

The President.—The business in order this morning is amendment No. 39 to Article 2.

Dr. Sieveking (Germany).—Mr. President, I beg leave to hand in two amendments, to be referred to the Committee on Lights for Small Vessels and to the Fog-Signal Committee.

The President.—The amendments will be read and laid over for printing.

The amendments are as follows:—

"Amendment proposed by Dr. Sieveking, on behalf of the German Delegation, 19th November, 1889—

"Vessels engaged in trawling, when under way, and all other vessels, shall keep out of the way of vessels and boats engaged in fishing with drift-nets, or in line fishing with their lines out and attached to their lines, and of the nets of such vessels and boats.

"All vessels under way, other than vessels and boats engaged in fishing with drift-nets, or in line fishing with their lines out and attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling."

"Amendment proposed by Dr. Sieveking, on behalf of the German Delegation, 19th November, 1889—

"Article —. Boats and vessels of less than 20 tons gross tonnage shall not be required to be provided with another apparatus for giving sound-signals in a fog than the following, viz.:—

"Steam-vessels shall be provided with a whistle, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn, and with another efficient sound apparatus to indicate their presence to other vessels.

"Other vessels shall be provided with a similar fog-horn and sound apparatus.

"The sound apparatus herein mentioned is to be used in the same way as the bell mentioned in Article 12."

Dr. Sieveking (Germany).—Mr. President, to simplify the course of business, perhaps I might propose that this second amendment be referred to the Sound-Signal Committee. The other amendment refers to a point which has been postponed until the Report of the Committee on Lights for Small Vessels. That Report having come in, we have thought it would be proper to present our views in the form of an amendment. I am informed that the Sound-Signal Committee is dealing with the subject which is mentioned in that amendment, and I would ask, when the amendment is printed, that it be handed to that Committee.

The question was put upon referring the amendment to the Sound-Signal Committee, and carried.

Mr. Goodrich (United States).—Mr. President, I propose the following, as a note to be added to the Regulations.

The note is as follows:—

"NOTE.—The Conference recommends that no earlier date than the 1st January, 1891, be fixed by the several Powers as the time when these Regulations shall be put in force."

Mr. Goodrich (United States).—Mr. President, the object of this is very apparent, so that there should be, if possible, a date at which all the Powers may adopt these Rules, if they be adopted at all.

The President.—The Resolution will be again read for the information of the Conference.
The Resolution is as follows:—

"NOTE.—The Conference recommends that no earlier date than the 1st January, 1891, be fixed by the several Powers as the time when these Regulations shall be put in force."

The President.—It will be printed and laid on the table for future consideration. The thirty-ninth amendment to Article 2 is before the Conference. The Secretary will please read the amendment.
The amendment is as follows:—

"Article 2. The lights mentioned in the following Articles numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others, which can lead to error, shall be carried in all weathers, from sunset to sunrise, by ships exceeding 20 tons registered."

Mr. Hall (Great Britain).—Mr. President, may I venture to point out that we shall be wasting a great deal of time if we take up these amendments and deal with them before we have dealt with the Report of the Committee on Lights for Small Vessels? I think it will be found that that Committee has most fully considered all these amendments which have been handed in, and has met the spirit of them by the Regulations which it proposes. I apprehend that we shall save a great deal of time if we take the Report of the Committee on Lights for Small Vessels and Pilot-Vessels and adopt that Report, or parts of that Report; and then it will dispose, practically, of the amendments which have been made with regard to small vessels. For instance, this one is expressly provided for in the Report of the Committee, and I assume that the proposals of that Committee will be submitted to the Conference, and the Delegates will have an opportunity of expressing their opinions as to whether or not they think any amendment is necessary to the provisions which have been so carefully prepared by that body. I will move, therefore, that we discuss the suggestions of the Committee on Small Vessels, Fishing-Vessels, and Pilot-Vessels, and then it may be unnecessary to consider a great many of these amendments.

Mr. Goodrich (United States).—Mr. President, if the Delegate from Great Britain will allow me I will make a suggestion. I have carefully gone through my little volume of amendments to see what amendments have not been acted upon. His suggestion about amendment No. 39 is a very proper one. But extra amendment No. 16, of Captain Shackford, has no relation to small vessels, and there are certain other amendments which I think we had better consider before we take up the somewhat laborious work of considering the Report of the Committee on Lights for Small Craft. If we finish up these amendments we shall have practically nothing to do except to consider the Report of the Committee on Lights for Small Craft. The first of these amendments is extra amendment No. 16 to Article 2, by Captain Shackford. The last two paragraphs have not been acted upon.

The President.—Will the Delegate from Great Britain waive his motion?

Mr. Hall (Great Britain).—Certainly, Sir; I quite agree that it is desirable to clear up every amendment which is not dealt with in the Report. I do not know but that this is a matter which has already been referred to the Sound-Signal Committee.

Mr. Goodrich (United States).—Mr. President, it has not, as I understand, been actually referred; but if the learned Delegate from Great Britain desires to have it referred, I see no objection to it.

Mr. Hall (Great Britain).—Mr. President, perhaps I may also state that various suggestions were also made with regard not only to the distance at which the signals should be heard, but especially as to the distance at which a light could be seen; although undoubtedly the principle was practically adopted by the Conference, that the distance was to be 2 miles. It was pointed out that it might be reported by the Lighthouse Board that it would be possible to have side-lights seen at a greater distance. Of course it would be most undesirable that the proceedings of the Conference should be hung up indefinitely even for the Report of such an eminent Board as that; and perhaps we shall soon be able to ascertain whether or not we shall have any Report. If not, I trust that we shall adopt the principle which the Conference has practically voted in favour of, and that is that we shall maintain the present system, and, any amendments which have stood over for the Report of the Lighthouse Board, will, probably, be withdrawn by the Delegates who have proposed them.

Mr. Goodrich (United States).—Mr. President, I would call the attention of the learned Delegate from Great Britain to the fact that these Rules refer to the distance at which sound can be heard, and it is desirable to refer it to the Committee on Sound-Signals. I think there will be no objection on the part of the gentleman who proposed this amendment to have it so referred, or we can discuss this without any reference to the Sound-Signal Committee.

Mr. Hall (Great Britain).—Mr. President, I do not think it will be necessary to refer it to the Committee. I think the Delegates will be able to see for themselves that it is very difficult to follow out the principle of this amendment without referring it to any Committee. Of course, the learned Delegate from the United States will see the extreme difficulty of carrying out such a proposition as this.

Mr. Goodrich (United States).—Mr. President, I move that we proceed to the discussion of extra amendment No. 16.

Mr. Hall (Great Britain).—Mr. President, might I point out to the learned Delegate from the United States that this matter will be better dealt with in a note to the various Powers, that it would be desirable that an attempt should be made to secure sound-signals, to be used in a fog, that would be heard at a certain distance. Of course, some Powers already have their tests and would not give certificates for fog-signals without being satisfied that they were thoroughly efficient. But I do not

see how we can frame any International Rules upon the point. I think it would be better that we should adopt this principle in the same way that we have adopted the principle with regard to the standards of candle-power, and have it embodied in a note suggesting that it is desirable that the whistles should be of such a power, if possible, as to be heard over low ground at a certain distance. Let it be in a note similar to the note with regard to the lights. I think the Delegates will see that it will be practically impossible, so far as the International Rules are concerned, to embody this in the Rules. We will certainly agree upon a note calling the attention of the various Powers to the utility and desirability of having such supervision.

Admiral Nares (Great Britain).—Mr. President, in the course of talking the matter over in the Fog-Signal Committee, with the benefit of the examination of a practical fisherman from the Banks of Newfoundland, who is always on the Banks, we have ascertained that mechanical fog-horns are coming rapidly into use, and that it would be scarcely advisable to state a minimum distance at which they can be heard. The fog-horn as proposed should be heard over low ground at the distance of 1 mile. We have ascertained that mechanical fog-horns, to be had at a reasonable cost, are carried and now used on board of these fishing-boats; and not only do they use them for life-saving purposes, but for warnings. The fishery interests are dependent upon the power of the sound, because their small boats are fishing at a distance from their parent vessels, and the more powerful the fog-horn the greater the distance they san send out their boats. The consequence is now, that it is a very common thing for their boats detached from the parent vessel to be more than 2 miles away, and they are quite satisfied that when a fog comes on the small boats can hear the fog-horn at that distance and return. Of course I cannot speak for the Fog-Signal Committee; but if you name any distance, you are rather limiting the advantage we shall gain by the manufacturers increasing the powers of these instruments, which are to be had at a reasonable cost.

Mr. Flood (Norway).—Mr. President, I only desire to state, in speaking about these mechanical fog-horns, that there is an instrument of this kind which is on exhibition in this Conference, and of which beween 1,500 and 2,000 have been sold in the last four or five years. I do not intend to advertise the contrivance, as it is here and speaks for itself.

The President.—The question is upon extra amendment No. 16.

Captain Mensing (Germany).—Mr. President, we have been told there was a change proposed by this amendment with regard to paragraph (*d*); but I have not heard whether (*a*), (*b*), and (*c*) are withdrawn. I would like to know about that.

Mr. Goodrich (United States).—Mr. President, the Delegate from the United States, Captain Shackford, who proposed subdivisions (*d*) and (*e*) of extra amendment No. 16 to Article 2, is inclined to believe that the suggestion of the learned Delegate from Great Britain is a very wise one. I therefore make the motion that the principle embodied in these two subdivisions be appended to the Rules which we adopt, as a note.

Mr. Hall (Great Britain).—Mr. President, might I suggest that it should be in a note to the Powers, and that it should not be affixed to the Rules, because it will be merely a note to instruct the Powers what to do? It will be the same as a note with regard to the standard of candle-power.

Mr. Goodrich (United States).—Mr. President, the only difficulty about that suggestion is, that the recommendation would probably be lost sight of by the several Powers. I think it would be better to append it to the Rules, and then it will have a double significance. If it is appended to the Regulations as a footnote, it will give to mariners and to Courts a statement of the views of the Conference as to the minimum distance at which a fog-horn of this kind should be heard, and it will make a suggestion to mariners that they should have a fog-horn of this kind. Therefore I suggest to the learned Delegate from Great Britain that it will have a better effect if the suggestion is adopted to have this note appended to the Rules, rather than to have it attached to the Report, in a note, for the action of the Powers hereafter. I very much prefer that it should be appended in a note to the Regulations.

Mr. Hall (Great Britain).—Mr. President, I do not think there is really any dispute in principle between us. I think we can leave that to the Collocation Committee, and we will draw it up as it appears best to that Committee.

Mr. Goodrich (United States).—Does the learned Delegate from Great Britain make a motion to refer it to the Collocation Committee with power to prepare a note?

Mr. Hall (Great Britain).—I will do that, Sir.

The President.—The question is on the reference of this matter to the Collocation Committee, with power to prepare a note to be appended to the Regulations.

The question was put to the Conference, and carried.

Mr. Goodrich (United States).—Mr. President, I find Article 5, twenty-third amendment, proposed by the Delegate from Belgium, to be the next in order.

Mr. Hall (Great Britain).—Mr. President, the twenty-third amendment to Article 5 is withdrawn.

Mr. Goodrich (United States).—It is headed the twenty-third amendment to Article 5, but the body of the amendment reads Article 4.

The President.—The amendment will be read.

The amendment is as follows:—

"A steam-ship when towing another ship shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 3 feet apart, so as to distinguish her from other steam-ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam-ships are required to carry.

"A tug, wishing to offer her services to a vessel, shall exhibit to such vessel, in addition to the ordinary lights, a white and red flare-up alternately."

Mr. Verbrugghe (Belgium).—Mr. President, when this amendment first came up for consideration, I remarked that a similar proposition was made by the learned Delegate from Germany about a pilot wishing to communicate. In the conclusion of my remarks I said that it would be better that one signal should be given to all vessels wishing to communicate with each other. On this remark being made, the gallant Delegate from Great Britain, Admiral Bowden-Smith, rose and remarked that there was already such a signal given in the Code of Signals. In answer to that I said I had no objection to receiving that, if it was agreed that the Code of Signals should be obligatory on every ship, because if it was not there would be no signals.

I am very glad that this point comes on for discussion now, and I would propose to the Conference that some signal should be given for vessels wishing to communicate with each other, if it is possible to have lights for such signals which do not interfere with the lights already agreed upon. In the proposal made in the Code of Signals it is "I have some urgent communication to make with you." It is almost like a vessel being in want of assistance. That was not my view, because the original proposition was for a tug-boat, which, as has been stated, during the night, come about ships and puzzle the sailing-ships and merchantmen. The learned Dr. Sieveking had a proposition, and we agreed, in a conversation which we had together, that we should support this amendment for one general signal for all vessels wishing to communicate. I then changed this amendment, and I now desire to have the Conference consider it.

The President.—The Delegate from Belgium proposes to amend his amendment by adding the words, "all vessels wishing to communicate."

Mr. Verbrugghe (Belgium).—Yes, Sir; I forgot to state that I am not particular about this white and red flare-up light, because as the work of the Conference goes on I see that a white and red flare-up light would interfere. I think there should be another signal. I am not particular about the signal. If some signal is adopted, very likely the Committee on Collocation will be able to find a suitable one.

Mr. Hall (Great Britain).—Mr. President, may I point out that this is a matter which comes under General Division VIII? That is a Division which will deal with this subject of night-signals for communicating. At present we have interpolated in the Rules for preventing collisions at sea the distress-signals, and now we have also put in fog-signals. It would be very undesirable to keep increasing the Rules for preventing collisions at sea by providing signals to be used in the day and night. We have a special Division, and a powerful Committee to deal with that Division, and this subject will properly come before the Conference on the Report of the Committee. I will venture to recommend to the learned Delegate from Belgium that this matter is better brought forward under General Division VIII.

Mr. Verbrugghe (Belgium).—Mr. President, I quite agree with the observations made by the learned Delegate from Great Britain, that the Committee on Division VIII should deal with this signal. I withdraw this amendment, and will forward it to the Committee on General Division VIII.

The President.—The amendment is withdrawn by the Delegate from Belgium.

Mr. Goodrich (United States).—Mr. President, the next proposition to which my attention is called is extra amendment No. 33, proposed by Dr. Sieveking, to Article 10. I suppose that comes within the Report of the Committee. Then we will pass to amendment No. 21 to Article 12, proposed by Commander Chen Ngen Tao, and in connection with that Article 14, extra amendment No. 7, also proposed by Commander Chen.

Mr. Hall (Great Britain).—Extra amendment No. 21, Article 12, comes within the Fishing-Vessels Report.

Mr. Goodrich (United States).—What does the Delegate from China say to that?

Commander Chen (China).—It may be dealt with by the Sound-Signal Committee.

Mr. Goodrich (United States).—Or the Committee on Lights for Small Craft.

Commander Chen (China).—I have no objection to referring it to the Committee for Small Craft.

Mr. Goodrich (United States).—Mr. President, I move that extra amendment No. 21, to Article 12, be referred to the Committee on Lights for Small Craft.

Dr. Sieveking (Germany).—Mr. President, it does not refer to lights at all. It is a matter of sound-signals.

Mr. Goodrich (United States).—Then, Mr. President, I move it be referred to the Committee on Sound-Signals.

Mr. Hall (Great Britain).—Mr. President, the Sound-Signal Committee are dealing with the question already, I am told.

The President.—If there be no objection it will be so ordered.

Mr. Goodrich (United States).—Mr. President, the next amendment is that proposed by Mr. Hall. I see that this is dealt with in the amendment suggested to-day. It is the sixty-third amendment to Article 17. It is one in regard to ships of war, which I suppose is amended by extra amendment No. 51, laid on our desk this morning.

Mr. Hall (Great Britain).—Mr. President, the Conference will remember that yesterday, in giving notice of this amendment, I stated that it was our desire to meet the wishes of the various Delegates who have done us the honour to communicate with us on the subject. Therefore we have amended our original proposition in the manner in which it now stands before the Conference. All we wish to do is this: We wish to make a sailing-vessel which, if there were no such Rule as this, would be obliged to keep on her course and speed and very often cross the bows of men-of-war when she could perfectly well avoid it, and so avoid giving trouble, at liberty to keep out of the way of such ships. Unless there is some Rule of this sort a sailing-vessel is bound, under the Rules, to keep her course, and that may compel her to give considerable trouble to squadrons, especially at night, when she might be able to avoid it by going about. This is not as a privilege for the man-of-war at all. It is in the interest of the sailing-vessels.

I am sure the Delegate from Germany watched with a lively interest the movements of the

Emperor of Germany, when he did us the honour to visit our country this summer; at that time, b the thoughtlessness and recklessness of sailing-vessels going up to the men-of-war, and going acros their bows and crossing right in front of them, a very dangerous state of affairs was brought about. We want to prevent this sort of thing, if we can; and if we put in a Rule such as this, with a strong proviso that nothing in this Article shall excuse the ship of war from doing her best to avoid a collision, I think we shall be taking some steps towards preventing what is really a dangerous state of affairs brought about by the thoughtlessness of the masters of sailing-vessels.

Mr. Goodrich (United States).—Mr. President, I suppose the sixty-third amendment is withdrawn in favour of extra amendment No. 51?

Mr. Hall (Great Britain).—Yes, Sir; I gave notice that I proposed this in lieu thereof.

Captain Richard (France).—Mr. President, the amendment which is proposed, or, rather, the new proposition which has been made to the Conference by the eminent Delegates from Great Britain, is but a modification of the proposition already made and inserted under Article 23 into the amended Rules which have been submitted to us by Great Britain. On reading the new Article, as it is amended, I must first object to it for one thing: I do not think that the language in which it is couched is very satisfactory. It was very precise at first, but in order to give satisfaction to the Conference it has been clothed in a more doubtful and elastic form, which contrasts singularly with the clear language used in wording each of your Articles. "In clear weather"—what does that mean? Formerly we had in the first Article only "between sunrise and sunset." Now it is "clear weather" at night as well as by day. Allow me to ask you for an explanation of it.

How will you clearly, precisely, and easily distinguish a squadron or even a war-vessel at night? It was said in the first Article "out of the way of three or more ships." Can the expression "squadron" be applied to those three vessels which we are in the habit of calling a "division"? We call a squadron a number of vessels consisting of two divisions. Must we understand here that "squadron" contains six vessels or three? Again, "squadron" tells us nothing.

But to return to the question. How will you be able in the night-time to distinguish war-vessels, whether they are sailing in a group, in single file, or in line? We all know that a formation in squadron is extended during the night. During the day we generally sail at an ordinary distance of about two cable lengths between each vessel, but in the night-time the distance is usually increased. The strictness of formation is relaxed in frequented parts, such as the Straits of Gibraltar. But I ask you how can a vessel find out exactly whether she is near a squadron or near two or three steam-vessels which happen to be in the same region? Consequently, I find fault with this Article for a lack of precision.

Evidently it is very good advice to give not to pass through a squadron—not to pass under the bow of the leader of each division; but in that case you say that nothing will excuse a war-vessel for not doing all in her power to avoid a collision. There is nothing precise in that. You have left out the first Article, because it was useless and even dangerous, and you have replaced it with an Article which lacks precision and which does not afford sufficient ground for a positive Rule.

If a merchant-vessel does not recognize a squadron during the night-time, what is she going to do to avoid it? Why propose it if such a thing is not possible?

I would have preferred the Article which was submitted to us at first. Both are absolute departures from all the Rules which have until now been proposed here. No special Articles have ever been made for war-vessels. Not only do we find nothing in the Rules heretofore established which confers a privilege upon war-vessels, but there is nothing which will serve to justify such a privilege. I think that you expose yourselves to serious dangers, and that you are going to introduce a germ of discord. When trouble arises between vessels of the same nationality the decisions of the Courts will be accepted, but when a collision takes place between a foreign vessel and your squadron you will have no satisfactory solution, and you will only arouse general discontent.

Lieutenant Beaugency (Chile).—Mr. President, I will ask the learned Delegate from Great Britain if it would not be desirable to say "in clear and fair weather," because in many cases of foggy weather it would be impossible for a sailing-ship to avoid crossing the bows of ships of war in order.

The President.—Does the Delegate from Great Britain accept the suggestion of the Delegate from Chile?

Mr. Hall (Great Britain).—Mr. President, I do not think it will be necessary to insert the words "in fair weather." The words "in clear weather" include fair weather. It merely means when the vessel can see to act. It is clear that if they could not see more than the leading vessel of a squadron they would not be obliged to obey this Rule; therefore I think it is best to keep the wording as simple as possible. With regard to the criticism of the Delegate from France, he has pointed out an oversight, that we do not mention the number of vessels in the squadron. The words in the original Article were "three or more vessels," and we propose to insert that in the present amendment, so that it will read:—

"In clear weather no vessel shall attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation," &c.

Another amendment has been suggested by the learned Delegate from Germany, and that is to put in the word "unnecessarily" in the second line after the word "nor." Of course, if it is necessary for a sailing-ship to keep on, as it might be, it would never do for us to put anything in the Rules which would express any doubt whatever as to her being entitled to do so. So that the amendment would read, "nor unnecessarily pass through the lines of such squadrons."

Admiral Bowden-Smith (Great Britain).—Mr. President, in the very few words which I propose to address to the Conference on this question I wish to state that I feel very deeply the importance of this proposal, and I would almost wish to add that I do not desire to influence the opinion of any sailor here. I wish all to use their own judgment, most earnestly, especially those who have to deal

with fleets, to see whether this amendment or something or the sort will produce good or evil. What has fallen from the honourable Delegate from France is very *apropos* and very much to the point as what he says generally is. I wish to assure the Conference that our only wish is, if possible, to endeavour to make things safer on the sea. This provision is as much for the purpose of avoiding accident to small vessels as for preventing inconvenience to ourselves. I earnestly hope that all of those present who have to do with fleets will give it their serious consideration to see whether something of the kind cannot be passed.

I might mention that the other day, when we were cruizing in two columns, we had six heavy battle-ships in one column and five in the other. We were steaming slowly along off Queenstown when a small sailing schooner went right through the line, which she had a perfect right to do of course. We were manœuvring, and when she got through the lines we had all been scattered about. She had no sooner gotten through the lines, when for some unaccountable reason she tacked and went through the lines again. Of course these large ships were scattered all about and it was a most ridiculous matter. It was really a laughable matter; but if this had happened in the night it would not have been a laughable matter.

My experience in sailing in fleets is this, that in the night-time they do not attempt to do this. We carry such an enormous blaze of lights that they are afraid of us; and in the night-time, my experience is, they do not come through us. In fact, they are so frightened that they keep away from us and would rather go at a lighthouse. Now, the question is whether we cannot do something to point out the danger they run. We can all see the difficulty, because, I believe for the first time we are changing one of our amendments. We have re-worded and tried to do something to meet these difficulties. I desire the earnest consideration of the Conference on this subject. I will refer also to one other matter which came before me, and to which the First Delegate has referred, on the occasion of the German fleet coming into Spithead the other day when the Emperor——

Captain Richard (France).—That can be prevented by local Rules.

Admiral Bowden-Smith (Great Britain).—Mr. President, these little vessels which I have mentioned were outside, 3 miles from the shore. I do not see how you can prevent it by local Rules. I would mention that this fleet came in the other day at Spithead and a great number of steamers and sailing-vessels went out to meet them. They got all around them. The German officers kept their heads and brought the fleet in splendidly, and only one little sailing-ship was sunk. As nobody was hurt it taught them a very good lesson. I want to explain that we do not put this Article in because we happen to be a big naval Power, and entirely for our own convenience; but merely to avoid this danger which often takes place out of mere curiosity.

With regard to single steamers, as our First Delegate pointed out, a single steamer coming along and meeting a fleet, if she is on the right side and obeys the Rules strictly, of course she is bound to go through the fleet. She is to keep her course. I must say a great many single steamers, out of courtesy do not do so. They alter their course a little and pass under the stern of a squadron. But you will see that a man, if he were a nervous man, would say to himself, "I must hold my course. I am the keeping-on ship." So he goes through the fleet. He has a perfect right to do so. I do not want to detain the Conference, but I desire to call their earnest attention to this matter so that they will give it careful consideration.

Captain Sampson (United States).—Mr. President, I think the Delegates of the United States are prepared to vote against this amendment as it now stands. I am, for myself, in favour of it; and I would suggest to the Delegates from Great Britain a slight amendment, which possibly might meet some of the objections which I have heard to this proposition. The amendment is to insert the words "at sea," as objection has been made to such a Rule as the one proposed holding in crowded waters. Possibly that might remove the objection which some of the Delegates would have to the proposition as it now stands.

Mr. Goodrich (United States).—Mr. President, I think the Delegates of the United States are against this amendment because they were instructed by the Conference to that effect yesterday. In discussing the amendment proposed by Dr. Sieveking to Article 15, extra amendment No. 42, it was urged by the learned Delegate from Great Britain, with great force, that to adopt a Rule such as was proposed in that amendment was to add an entirely new principle to the Rule, which in effect would override the whole system which the Conference had adopted; and that view was taken by the Conference, largely owing to the eloquent efforts of the learned First Delegate from Great Britain. It seems to me that this is imposing a different principle upon the Rule from that which the Conference have adopted, and that it really destroys the effect of the Rule. It is entirely inconsistent with the system which has thus far been promulgated in our Regulations.

Mr. President, we bow with great respect to the opinion of the learned gentlemen in the public service in the Navies of the various countries, and yet I suggest to them whether it is quite proper for us to subordinate the mercantile marine to the Royal Navy. I think the object of this Conference is to protect the great class and the great majority of vessels which are engaged in the mercantile marine, while the object of this amendment is to do away with that system and to give to public vessels the right of way. I think the very suggestion of that objection is a very strong one, especially when you consider the fact which we may assume that the officers of the Navy, from their long and liberal education and great experience, are better able to obey the Rules as they are formulated than are some of the men who command smaller vessels in the mercantile marine. I am very much opposed to the principle of giving the public Navies and war-ships any right of way not given by the Rules over the mercantile marine.

Mr. Flood (Norway).—Mr. President, although I was one of those who voted yesterday for Dr. Sieveking's amendment, and I am really sorry that it was lost, I must candidly confess that I stand here as a representative of the merchant marine; and I must say on behalf of the shipping which I have the honour to represent for my Government, that it is no trouble for us whatever to accept this amendment as proposed. I have also in this case personal experience. I have seen foolish captains

actually sail into squadrons, either out of curiosity or to do some injury. Although I am as much in favour of the rights of the merchant marine as any Delegate present, yet, when a man-of-war comes to a squadron, of course I have to get out of the way, if it is practicable. I have inserted in this amendment the little word "practicable," as a suggestion to the learned Delegate from Great Britain; but I understand that there is already a word introduced to that effect, which fully covers my point. I would strongly advise that the amendment be accepted as it stands.

Dr. Sieveking (Germany).—Mr. President, speaking on behalf of my colleagues, and for myself, I beg to say that we approve the principle which is laid down in this Rule. I think it is quite clear that there is a difference between men-of-war going along in regular formation, forming in line, and the ordinary case. I do not think it would be an unnecessary or unreasonable burden on other vessels to avoid trying to cross the bows of ships or squadrons in regular formation. On the other hand, I feel that the objections made by the honourable Delegate from France to the wording of this Article are not without foundation. I am under the impression that the Rule is somewhat loose, and not so precise as our Rules generally are; or at least as we try to make them.

I would like to suggest to the consideration of the Delegates from Great Britain whether it would not be possible to omit the last words, "But nothing in this Article shall excuse a ship of war from doing her best to avoid collision." I think that is surplusage. I think that is understood, because of the general Rule that nothing in these Rules is to exonerate a seaman from obeying the general rules of caution and the rules of ordinary seamanship. If we put in words like this it appears to me that it could be interpreted as if it meant something more than this general Rule, and as if it were a direction to the ship of war to manœuvre or do something, in any case, to avoid a collision. Then, certainly, a confusion would ensue, which it is desirable to avoid.

There has been objection made to the expression "clear weather," but it seems to me that would be a matter of interpretation, and there could not be any doubt about what it means. I think if we leave the Rule, "In clear weather no vessel shall attempt to cross the bows of the leader of any squadron of three or more ships of war in regular formation, nor, unnecessarily, to pass through the lines of such squadron," that the Rule would be quite clear, and would say, "If there are no extraordinary circumstances which prevent you from doing this, you are barred from taking this course. You are not to cross the bows or not to pass through the lines of ships of war in regular formation." Of course, if the ships of war should see that the Rule is disobeyed, the general Rule would come into force, which requires them to assist in avoiding a collision. If you read the Rule without the last words I think it would be more definite and be quite a precise Rule; and, in addition, objections would be met which have been very ably pointed out by the Delegate from France.

Captain Shackford (United States).—Mr. President, I am opposed to this amendment for this reason: As I understand it, sailing-vessels will have to get out of the way, and lose 3 or 4 miles in getting clear of these squadrons. More than once in my experience, by the loss of fifteen minutes, I have been detained outside for twenty-four hours with a ship full of passengers. I do not think it is right for these squadrons to have the right of way over sailing-vessels. A squadron, if it is broken up, has plenty of time to re-form and go on again; but a sailing-vessel has not the time, and it may, perhaps, be a matter of life and death with her.

Captain Mensing (Germany).—Mr. President, I would like to be informed whether the expression "ships of war" refers to torpedo-boats. In Germany we have torpedo-boats cruizing around about the entrances of our rivers. I think it ought to be explained that no ships are to go out of the way of torpedo-boats, which are fully able to take care of themselves and to manœuvre in the most excellent way. I think it will be necessary to have the Rule so drawn as to provide for that case.

Mr. Hall (Great Britain).—Mr. President, I am sure we are very much obliged to the various Delegates who have given us their opinions with regard to this Rule. I will say that we will adopt the words "at sea," so as to prevent any doubts which have been pointed out in regard to the inland waters or the waters where territorial limit extends. Then after the words "squadron of" we propose to insert the words "three or more." I think the insertion of the word "unnecessarily" would meet the difficulty pointed out by the learned Delegate from Norway. We also quite agree in the criticism from the learned Delegate from Germany that the last words of the Article are not only unnecessary, but they might be thought to make the Rule less binding; so, as we now propose the Rule, it will read as follows:—

"In clear weather at sea no vessel shall attempt to cross the bows of the leaders of any squadron of three or more ships of war in regular formation, nor unnecessarily to pass through the lines of such a squadron."

In answer to the learned Delegate from Germany we do not apprehend that the torpedo-boat would be included here. This would only apply to large ships of war, and if it were at all doubtful we would insert the words "large" ships of war, so as to distinguish them from torpedo-boats. Of course, a torpedo-boat, in one sense, is a ship of war. But we call them boats in our Service; we do not call them ships at all. The very word "squadron" makes it plain that these are ships of war and not torpedo-boats. So far as I can see we have complied with all the suggestions that have been made. I may say that our very great anxiety is not to attempt to enforce a Rule, but it is to get the assistance of the Delegates; and then if we can frame a Rule with their assistance which the Conference thinks it advisable to adopt, it will be adopted.

I can assure the learned Delegate of the United States that we have no intention whatever of subordinating the mercantile marine to our Navy. It is only because of the dangers which have been brought about, and having regard to the fact that thoughtless mariners may bring about such great dangers, that we have proposed this Rule. We have not the remotest intention and no feeling whatever of dominating our mercantile marine; and I can assure them that my brother Delegates and I are just as solicitous about the mercantile marine as we are with regard to the Royal Navy.

Admiral Nares (Great Britain).—Mr. President, one word as a seaman. In olden days it was comparatively easy to judge of the rate at which a sailing man-of-war was proceeding. At present the masters of sailing-vessels and steamers have very great difficulty indeed in judging of the rate at which these iron-clads are going. I am sure that all seamen will bear me out in saying that these vessels when going at 10 or 12 miles an hour, with their enormous bulk, appear to be going at the rate of 2 or 3 miles an hour. This is a great difficulty, which renders some Rule necessary; and I can say that there is no right of way given to the man-of-war. We are merely telling commercial vessels of the dangers they are running. I desire to say, also, that really these men-of-war are for the protection of merchant-ships. We are not cruizing about the seas for our own delight. We are cruizing there to be able, when called upon, to manœuvre in their interest.

Mr. Goodrich (United States).—Mr. President, if such a doctrine as this were proposed for the government of citizens on the land it would arouse the indignation of the whole community. I assert that as a proposition almost without fear of contradiction. I admit that in time of war the interests of the citizen must give way to the interest of the State; but I do observe again that to pass this amendment is to subordinate the mercantile marine to the Navy. You are overriding by this Rule, i you pass it, every principle which governs the steering and sailing of vessels in the mercantile marine. You are giving to the Navy, so far as this principle of squadron in line is concerned, the right of way over every kind of vessel.

If the suggestion made by the gallant Admiral, Sir George Nares, is correct, as I doubt not it is correct, that there is difficulty in discovering how fast one of these great bulky men-of-war is moving, I do not see why the same argument should not be an inducement to give all men-of-war not sailing in line or in squadron the same right of way over every vessel in the mercantile marine. If it is impossible or impracticable or very difficult for a sailing-ship to tell how fast one of these great masses is sailing, then had you not better, as the learned and gallant Admiral says, advise the sailing-ship to keep out of the way of this enormous ram. It seems to me that the doctrine that applies to one of these great vessels in line of formation applies just as well to a single one sailing the seas.

I call the attention of the Conference distinctly to the fact that, as it seems to me, a vote in favour of this proposition is doing just what I have stated. It is subordinating peace to war, subordinating the mercantile marine to the National Marine. Of course, I know that is not the intention of the gallant Delegates from Great Britain, and I know that they are just as much interested in preserving the mercantile marine as they are in preserving the Royal Marine. I understand that perfectly. But I am addressing myself to the real facts, that this Conference, which yesterday declined to pass a Rule of precisely the same character as between two vessels of the mercantile marine, if they pass this amendment, will now change the system and impose upon the mercantile marine a Rule which destroys the effect of every steering and sailing Rule which we have made, and gives to the National Navy the right of way over all vessels. I think it is a very bad principle to adopt, and the fact that you adopted a different principle yesterday shows this Conference in the light of great inconsistency.

Mr. Verney (Siam).—Mr. President, I understand the proposal of the learned Delegate from Great Britain in an entirely different sense from that which my learned friend understands it. He says if you were to apply this Rule on shore, that it would create the greatest indignation. This very same principle is applied on the shore.

Mr. Goodrich (United States).—In time of peace?

Mr. Verney (Siam).—Yes, Sir; in time of peace. I think that for mutual safety and mutual advantage we are all of us at this table aware that in crowded thoroughfares, or even on encountering a mass of men moving together, we are sure to get out of the way.

Mr. Goodrich (United States).—So we are for a fire company.

Mr. Verney (Siam). Mr. President, I understand that this proposal is made very much in the same sense as the common sense rule that we all adopt when we are moving about on the shore. Those of us who live in London and those who live in almost any capital of the world know that where men are moving together as one body, way is made for them, on the principle of common safety and common advantage. It does not seem to me that we are subordinating the mercantile marine to the Royal Navies because we merely give them notice to keep out of the way. If I am not mistaken in this matter, vessels in order or squadrons in order are in order for purposes of manœuvring as one ship, in the same sense as you say that when men are in formation on shore they are manœuvring together as one man. It is extremely difficult for them to manœuvre as separate ships do. The principle is the same on the shore when we meet a body of men who are marching in order. They are avoided on exactly the same principle as this which is now proposed with regard to ships.

Mr. Goodrich (United States).—Will the learned Delegate from Siam allow me to correct him by saying that on the shore we men of peace do not give way to a company of military because they have arms in their hands, but because they have got the whole street blocked up and we give way because we cannot help it? We give way to a crowd of Fenians, a funeral procession, a fire company, and a target company. We give way to anything in any company which is more numerous than the man who has to avoid them. But at sea it is very different. There, there is ample room to avoid them. Here, there is a narrow line of 30 feet which these men occupy. At sea there are 1,000 miles, more or less, which the squadron can occupy in their evolutions.

Admiral de Spaun (Austria-Hungary).—Mr. President, I will mention only one word in favour of the proposed amendment. The amendment is intended for the purpose of avoiding collision. It is a very difficult thing for a squadron, when a steamer, or even sailing-ship, passes between the lines, to avoid collision. This Rule is not only for the safety of the ships crossing the line; but it is for the purpose of avoiding collisions between the men-of-war themselves, that it is necessary to have a Rule like this. I think that it is the interest of the taxpayers more than of the men-of-war. They

represent a very great sum of money, and I think it is the taxpayers and citizens themselves who are affected by collisions between men-of-war in a squadron, which are to be avoided.

Mr. Carter (Hawaii).—Mr. President, I must confess that I am a little astonished at the warmth and enthusiasm of the learned Delegate of the United States. One would suppose from his remarks that squadrons of three or more large vessels at sea were as common as funeral processions, Fenian parades, and other exhibitions on shore. Now, the necessity of Navies, of course, no one denies. The necessity of evolution and practice no one denies. The number of vessels which would be incommoded, I mean in the ordinary way of commerce, by a squadron of evolution would be very, very small. Of course, pleasure yachts and small steamers which are out looking at a naval display are very numerous; but I do not presume the Delegate from the United States would desire that it should be in their power, unnecessarily, to block the movements of a squadron of war-vessels, when, in fact, it would break up the very exhibition which they have come out to see. The number of vessels which are pursuing their regular vocations, going from port to port, which would be blocked by such a squadron would be very small, and the amount of inconvenience or discomfort occasioned to the mercantile marine of the world on such occasions would be infinitesimal. It would be very small compared to the occasions which would occur, for instance, in tow-boats, and large barges, which are matters of every fifteen minutes occurrence on the rivers about New York and elsewhere.

It does not seem to me that the Conference would be guilty of the slightest inconsistency in adopting this proposed amendment; but it does seem to me that this Conference would say that it was in the exercise of its wisdom, taking into consideration some of the highest necessities of the commercial marine, as well as of the Navy, and taking into consideration the great importance of the evolutions of public ships. And it seems to me that the Conference would also be providing in an eminent degree for the prevention of the accidents and collisions which flow from a violation of this Rule. I sincerely hope that the Article will pass.

Mr. Goodrich (United States).—Mr. President, will my learned friend from Hawaii permit me to ask him why this Rule does not just as well apply to some great international yacht race. Why should not a Rule of this kind be applied where several yachts are following each other, why should we not say that no vessel of any kind shall pass through that line of yachts? What I want to know is why there should be an exception in favour of men-of-war. The learned Delegate said the other day that he did not see why the world could not get along well enough without lawyers. I do not see why we could not get along well enough if all the Navies in the world were abolished. I may say, because I am a citizen of the United States and one of its Representatives, that it does seem to me that up to this time the United States has got along pretty well without any Navy whatever.

Mr. Carter (Hawaii).—Mr. President, the learned Delegate from the United States will not for a moment compare the necessity of yachts and yacht races with the necessity for Navies and the evolutions of squadrons; I am quite sure of that. I should like to correct the playful remark which he made when he stated that I said that I thought the world would get along well enough without lawyers. If he will read my remarks he will see that I did not say that; but I merely alluded to a nation of which I had read whose happiness had been very much promoted by the prevention of litigation and the consequent falling off in the necessity for employing lawyers.

Captain Richard (France).—Mr. President, after the discussion which has taken place, I have no longer any illusion. You will vote for the proposition which is submitted to you. You will adopt it, and my conscience tells me that you will have made a bad Rule. As a naval officer I cannot look upon it with an unfavourable eye. You relieve all the officers who sail in squadrons from annoyance and bother. That is all right; when there is little to be feared you give them absolute security. Now, if I consider the Article from another standpoint, and I must do so from the general standpoint of the interest of navigation, I see that you have given privileges to the Navy without having sufficiently considered the embarrassment imposed upon sailing-vessels, or towing-vessels, not only on the high seas, as has been alleged, but also in narrow channels; and you have, perhaps, not noticed that this may give rise to abuses. There are channels which squadrons carefully avoid because they are exposed to being inconvenienced by the presence of all kinds of vessels which may cross their lines. The Article gives them the right to enter those channels and to embarrass and trouble the merchant-vessels which are there.

There is still another thing. Take only three war-vessels; they take up but little room, 800 metres. But if there are twelve, those twelve vessels in single file will extend for a distance of 5,000 metres. This single-file formation is generally the order adopted when a squadron sails in narrow channels. What are sailing-vessels going to do when passing through such a channel at the same time as your squadron? It is true that the Article adds that this applies to unnecessary cases; but who is to be the judge? Who in a squadron will carefully note the force of the wind and the currents and the manœuvring qualities of the sailing-vessel which they encounter? You may avoid her if you like, but you will see in practice that you have made a bad Rule.

Certainly the honourable Mr. Hall spoke of the visit of the Emperor of Germany to Spithead. I admit that I am not impressed by that argument. Spithead is in territorial waters. We all know that territorial waters extend 3 miles from the coast, and the bays and harbours generally have a considerable outlet in those waters, where the sovereign Power can establish such Rules as it may judge proper. Those are local matters in which we should not interfere, and we do not have to make general Laws for such a special circumstance; and if the Conference should do so, it would absolutely exceed its jurisdiction, and those who propose this Article would be the first to call attention to it. I repeat, that I think that those who want to avoid this serious inconvenience can make local Rules. They are the masters there. On the other hand, we must not forget that the Resolutions adopted by the Conference are *ad referendum*. Let us be careful in our decisions not to shock the ideas of our Governments too much, because then it might happen that after all our work and our laborious discussions these Rules would not receive the consideration which the Conference desires for them, and that, instead of erecting a monument which must occupy a place alongside of the Pandects and the

Code Napoléon, there remains nothing standing. I think that it would be better not to occupy our minds with this Article; but I repeat that I do not have much illusion in regard to the fate which awaits it. It will be adopted, and I am only speaking to satisfy my conscience.

Mention has also been made of the facilities which should he allowed squadrons while performing evolutions. Allow me to say that a squadron performing evolutions will sometimes occupy a very considerable space. But it is not only on the high seas that the Article has its effect, and even there there may be abuses. Who can tell what may not be done? Certainly, I do not doubt that the officers who command our squadrons should be trusted for their prudence and for their wise resolutions. We must have full confidence in them, but still the law cannot do so, and in all countries in this world the law looks out more for rascals than for honest men.

Again, I have heard it said that a vessel sailing in such manner as to cut through a squadron was in a bad way, and that for her own safety she should be prevented. I think that Admiral Sir George Nares said that such a vessel could not know either the speed or the course of the war-vessels before her. I do not really think that this manœuvre is really so full of danger, and I have frequently seen a squadron avoiding vessels which crossed its line. If, by accident or misfortune, a vessel is obliged to cut through a line of war-vessels, what would happen? The war-vessel near which she is about to pass, not thinking that such a manœuvre can be made, will not disturb herself until the last moment, and generally too late to avoid a collision. The best protection against a collision is to manœuvre early. Most collisions could have been avoided without much trouble if the manœuvre had taken place one or two minutes earlier. In the present case, I repeat, if by chance a vessel is obliged to cross the line she will generally collide, because the manœuvre will take place at the last moment.

I still persist in thinking that this Article is absolutely dangerous, and that you should not insert it in the Rules.

Mr. Hall (Great Britain).—Mr. President, I must not occupy the time of the Conference any longer, but I may state that we have inserted the words "at sea" on purpose to meet the difficulty which is mentioned by the gallant Delegate from France with regard to narrow waters.

Mr. Goodrich (United States).—Mr. President, let me occupy the time of the Conference a moment more, because I have a very strong feeling upon this subject. In the first place, let us see what this line of war-vessels may mean, and what it may mean in narrow straits, because the extent of the words "at sea" means that part of the ocean which is not within the territorial limits of a nation. So there may be narrow straits where a line of war-vessels may be performing their evolutions. That line may be composed of the great fleet of Great Britain. It may have a dozen war-ships or fifty war-ships, and they may be sailing in a line 5 miles long. It depends somewhat, of course, upon the distance between the different ships. But there will be a line 1 mile, or 2 miles, or 3 miles long, and if Great Britain keeps on building other war-ships, as she is doing, I do not know but that they may do as her drum-beats, "encircle the world." I quote from memory the language of one of our greatest statesmen, Daniel Webster, when he said, speaking of England—

"A Power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum-beat, following the sun, and keeping pace with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England."

Here is a line of war-ships 2 or 3 miles long. A sailing-ship or a steam-ship must go around it; no matter what the weather, no matter what the wind, no matter what the time, whether the day or the night, she must go around that line. Of course, I understand that there is a reservation, and that you have said that a ship must not *unnecessarily* run through this line. But I call the attention of the Conference to this very fact, that while war-vessels, as I am advised by my gallant colleague on my right, have in the Code a night-signal which distinguishes them from the mercantile marine, yet in this Code there is nothing to show whether other vessels which are passing are in the mercantile marine or in the Navy, and it puts upon the mercantile marine the necessity, the risk, and burden of deciding whether a line of vessels when seen at night is composed of vessels of the Navy or of the mercantile marine.

I insist, Mr. Chairman and Gentlemen, that we are taking a very dangerous ground here in view of the action which we took yesterday. I can understand that some of my gallant colleagues who are in the Navies of the world are in a delicate position here. I am voting myself, as a man of peace, in favour of the interests of peace, and I think I should, perhaps, be put in rather an awkward position if, being a member of a governmental institution like the Navy, I was called upon to vote upon this question. I really hope the learned Delegates from Great Britain may see their way clear to withdraw this proposition.

Captain Sampson (United States).—Mr. President, I confess, for myself, that I have no hesitation in expressing my opinion, and, if there were a majority of the Delegation with me, no hesitancy in voting as I feel upon this subject. While I hesitate to disagree with my learned and eloquent friend, I still think that we take the wrong view of the question. I think that it is not a matter of precedence between Navies and the commercial marine. It is a question of avoiding real dangers. We do not expect a merchant marine to claim the right of way under these Rules with regard to icebergs or any other danger that cannot take care of itself. A squadron of vessels at sea is an actual danger to another vessel which attempts to pass through them; not a danger to a vessel alone passing through such squadrons, but a danger to the vessels of the squadron themselves.

Now, notwithstanding what my eloquent friend has said, we are not prepared to give up our small Navy unless all the world does the same. Therefore, I think that so long as we have a Navy, and so long as it is necessary that the ships should have practice to prepare them for that on account of which they are in existence, I think that while squadrons and evolutions must exist, it is necessary that it should be provided, as this Rule does, for the meeting of single ships with such a danger at sea as is offered by the existence or presence of a squadron.

Admiral Nares (Great Britain).—Mr. President, I venture one more word. Article 23 will

enable me, if I sight another ship on my port bow, to break the law requiring me to keep my course and speed at a certain moment. But with a fleet I have not got that permission. I am bound to cross the bow of one of the lines of a fleet and get into the middle of it. I cannot legally take any other step under the present Rules. You give us the law under Article 23. I may get out of the way of another vessel on my port bow, but I may not get out of the way of a fleet, and the law obliges me to get in between the two lines. What am I to do then?

The President.—Is the Conference ready for the question? The Secretary will please read the amendment as it now stands.

The amendment is as follows:—

"In clear weather, at sea, no vessel shall attempt to cross the bow of the leaders of any squadron of three or more ships of war in regular formation, nor, unnecessarily, to pass through the line of such squadrons."

The question was put to the Conference upon the amendment.

The President.—The Chair is unable to decide.

Mr. Goodrich (United States).—I call for the Yeas and Nays.

The Yeas and Nays were called as follows:—

Austria-Hungary	Yea.	Japan	Yea.
Belgium	Yea.	Mexico	Yea.
China	Yea.	Norway	Yea.
Chile	Yea.	Portugal	Yea.
Denmark	Yea.	Spain	Nay.
France	Nay.	Sweden	Nay.
Germany	Yea.	Siam	Yea.
Great Britain	Yea.	The Netherlands	Nay.
Hawaii	Yea.	United States	Nay.
Italy	Yea.		

The President.—Fourteen have voted in the affirmative and five in the negative, so the amendment is carried.

Mr. Goodrich (United States).—Mr. President, the next proposition which I think has not been disposed of is the amendment handed in this morning to Article 4, extra amendment No. 52, proposed by Captain Norcross.

The President.—Extra amendment No. 52 will be read by the Secretary.

The amendment is as follows:—

"Article 4. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 6 feet apart, and, when towing more than one vessel, shall carry an additional bright white light 6 feet above or below such lights, so as to distinguish her from other steam-vessels. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam-ships are required to carry."

Captain Norcross (United States).—Mr. President, the reasons for offering this addition to Article 4 were explained yesterday by my learned colleague, and I can only add a few words to say that this addition is intended to supply an ever-growing want, and is for a new requirement for which the Rule does not provide. Large tugs towing a number of large vessels, each at the end of 150 fathoms of hawser, sometimes make a tow fully a half-mile long, and some warning is required for vessels which will cross the wake of these tugs, for I have been told that collisions have already occurred by vessels after having passed one tow and supposing themselves clear hauling up to cross and finding a second or a third vessel in the same tow. I have preferred placing the warning-light on the tug itself, as the greatest danger is when approaching from nearly ahead or a few points on the bow. When crossing at or near right angles the danger is less, for the side-lights of the several vessels towed would show, as also the warning-light on the steamer.

Mr. Hall (Great Britain).—Mr. President, my colleagues and I have fully considered this matter, and, so far as we are able to see, it is a very wise provision. I would only suggest that perhaps it would read more simply if, instead of using the words "6 and 12 feet," we should make it read, "a steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such light."

The President.—Is the Conference ready for the question upon the amendment? The Secretary will please read the amendment as changed.

The amendment is as follows:—

"Article 4.—A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such light, so as to distinguish her from other steam-vessels. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white lights which other steamers are required to carry."

The amendment, as amended, was put to the Conference, and carried.

The President.—The question now is upon the original amendment.

The question upon the original amendment was put to the Conference, and carried.

Mr. Goodrich (United States).—The next amendment for consideration is extra amendment No. 50 to Article 23, which was handed in yesterday.

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"Article 23. In obeying and construing these Rules due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate collision or other danger."

Mr. Hall (Great Britain).—Mr. President, the Conference will no doubt recollect the very interesting discussion we had upon this amendment when we went through the Rules for the first time. It was pointed out that it was very possible that sailors would not be quite certain whether the existing words "dangers of navigation" under special circumstances would include danger of collision. We have thought it very advisable to put an end to such a doubt as that. We have also been actuated by another motive which the Conference may remember I pointed out before. When we proposed the important change which the Conference has adopted, to prescribe that the holding-on vessel should keep her speed as well as keep her course, we thought it was most desirable, if we could, to impress upon the minds of sailors that they must not hold on too long under this Rule, and so that the sailor would not say, "This Rule tells me to keep my speed; therefore I keep my speed up to a collision." We think it most desirable, if we can do so, by adding these words, to call still further the attention of sailors to that fact and to impress upon them that although they must obey these Rules they are not to hold on under them when they see that danger is brought about by such obedience, at a time when it is necessary for both vessels to act.

We have considered very carefully how we can best do this, and the Conference will remember that we had a special Rule to try and deal with this state of circumstances. But after consideration and the kind assistance from many of our foreign colleagues, we have thought it more desirable to do it by explaining the general Rule rather than by having any special Rule. Therefore, we propose to insert the words "collision or other" in the Rule. As has been pointed out a doubt might arise in the minds of seamen whether or not they were justified under this Rule in acting to prevent a collision, because they would say "A collision is not a danger of navigation," and the words "special circumstances" are not meant to include a danger of collision.

Therefore it was to make it perfectly clear to a sailor that he is not to neglect the ordinary precautions of seamen, and that he is to have due regard to the dangers of collision as well as to the dangers of navigation—that is to say, that he is not merely to act because he sees a danger of navigation, like a rock or a current, but he is also to act when he sees that it is really necessary for him to help the other vessel to prevent collision, and he is not entitled to stick to the Rule, and say: "I am obeying the Rule; I need not do any more." He must do his best to try and prevent a collision. Certainly that is what every practical seamen will say he ought to do, but men may be found who do not quite understand the Rules, and who may say, "Here is a Rule which tells me to do so and so, and I am obeying that Rule." We want to call to their attention the importance of their acting when it is necessary, when there is a special danger to navigation, and we want to instruct them that they must have regard to special circumstances to determine their actions. It is for these reasons that we venture to propose to insert these words.

The President.—Is the Conference ready for the question?

The question was put upon the adoption of the amendment, and was carried.

Mr. Goodrich (United States).—Mr. President, I believe we have now disposed of all the Articles which are not embraced in Articles 7, 9, and 10.

Captain Mensing (Germany).—With one exception, the seventy-sixth amendment, which was proposed by Mr. Flood, Article 18 (*a*). I think that has not yet been disposed of.

Mr. Goodrich (United States).—I am informed by the Secretary that it was withdrawn on the 15th November.

Mr. Flood (Norway).—Mr. President, on my return here yesterday morning, after conferring with my colleague, Captain Salvesen, and on finding that there did not seem to be any support for my amendment, I consented to have it withdrawn.

The President.—The amendment has been withdrawn by the Delegate from Norway.

Mr. Goodrich (United States).—Mr. President, I think it is very evident that having discussed all the amendments, except those which relate to Articles 7, 9, and 10, that we will finish the discussion of these Rules to-day; because, while there may be possibly some amendments to be proposed to the Report of the Committee on Lights for Small Vessels, yet we shall have two good hours this afternoon to discuss them. I want to suggest to the Delegates whether it is not wise for us, instead of having no meeting on Wednesday, to continue our session to-morrow morning, if it be necessary, so that as quickly as these Rules are finished the Committee on Collocation can get to their work. Then the Committees which were adjourned to meet on Wednesday can adjourn to meet on Thursday. I therefore make this motion, that when the Conference adjourns this afternoon, it adjourn until to-morrow morning at 11 o'clock.

Mr. Hall (Great Britain).—Mr. President, I certainly think this is a proposal which we ought to support. If by any chance we are not able to finish the Report of the Committee on Small Vessels this afternoon, which I trust will not be the case, then let us continue in session to-morrow morning so as to finish it and to better give the Collocation Committee time to get their Report ready. We shall then be able at the beginning of next week to present our Report on Collocation. Then we shall have next week to go on with Reports of the Committees.

Mr. Carter (Hawaii).—Mr. President, I would suggest that when we adjourn this afternoon we adjourn until to-morrow afternoon at 2 o'clock. I think it will break up the Committee work to-

morrow, and it may not be possible to bring the Committees together again on Thursday. Many of them meet at 10 o'clock, and will be able to get through with their work by 2 o'clock. If it is understood that if we meet to-morrow we meet to sit only until recess or until 1 o'clock, the Committees can perhaps sit in the afternoon.

Mr. Hall (Great Britain).—The members of the Committee will all be here, so that they can arrange perfectly well about that.

Mr. Carter (Hawaii).—I only spoke of that because the Committees meet at 10 o'clock. If they are to break up at 11 o'clock and attend the session of the Conference it breaks up the day.

Mr. Goodrich (United States).—They can meet the next day.

Mr. Carter (Hawaii).—Of course many can, but I could not. There are also many members who are in the same circumstances.

The President.—The Chair understands the Delegate from Hawaii to amend the motion.

Mr. Carter (Hawaii).—Not unless it is accepted.

Mr. Goodrich (United States).—If we pass the motion in its present shape, if a contingency should arise which would render it desirable to take the course indicated by the Delegate from Hawaii, we can then do so this afternoon.

The question of the Chair upon the motion that when the Conference adjourn it adjourn until Wednesday morning at 11 o'clock, was put to the Conference, and carried.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

The President.—If there be no objection, the Conference will now proceed to the consideration of the Report of the Committee on Lights for Small Craft, in lieu of the amendments to the Articles upon that subject.

Mr. Goodrich (United States).—Mr. President, for the purpose of bringing the subject of Articles 7, 9, and 10 before the Conference, I move that the Conference adopt the Report of the Committee. That will enable the Delegates who have suggestions to offer to bring them up by way of amendment to the Report. For instance, any Delegate having an amendment in the printed amendments which has not been covered by the Report of the Committee on Lights will be enabled to offer it as an amendment to the Report of the Committee. I will only say that we have pretty carefully examined the Report of the Committee, and I think it has very fully covered the whole subject.

Admiral Bowden-Smith (Great Britain).—Mr. President, I hope that it will be understood in the remarks that I am going to make on the Report of this Committee on Lights for Small Craft that I am speaking entirely for myself. I can assure you that I should not have gotten up to do so if I did not think it a matter of very great importance, and if I did not earnestly desire the success of this Conference. The Rules which we pass now may last for fifteen or twenty years, and I hope that great pains will be taken not only in amending the Articles, but in putting them into proper form and making them as short as possible. I have nothing to offer against the principles contained in the Report of the Committee on Lights for Small Craft, but my objection is to their great length. All of these, as I understand it, are now to go into the Rules, and they will add enormously to the length of the present Regulations.

I quite admit that the Regulations regarding lights are not so important as those of the Rules of the Road, because we have not got to remember them so carefully. It might almost seem impertinent to question a matter which has been put into the hands of the Committee and drawn up by them; but I do not think this is a matter of impertinence. The Conference has delegated to this Committee the power to draw up certain Rules. They have delegated that power to eight or nine gentlemen, because the Conference could not do it. I am not quite certain that one person could not take these Rules as drawn up by these nine gentlemen and boil them down, without losing the sense at all, and get the Rules into a little shorter form than they are at present. I venture to think that any one of the learned Delegates now at this table might take this Report and re-word it, without altering the sense, and might possibly reduce it by a great many lines. As I said before, I should not have spoken if I had not really felt that this was a matter of importance, and that we ought to make these Regulations as short and concise as possible.

Mr. Hall (Great Britain).—Mr. President, I wish to support the proposal which has been made by the learned Delegate from the United States, because we have appointed a very powerful Committee to assist us with their views upon the matter. As my gallant colleague has already told the Conference, we have discussed this matter among ourselves, and we have gone through these Rules very carefully and we agree, in principle, with these suggestions. With reference to what has fallen from my gallant colleague with regard to the verbiage which is used, I am sure we all appreciate the great care which he always uses in the discussion and preparation of the Rules, and I am prepared to admit that it might be possible to word them so, perhaps, that they might be made more concise; but I confess that I am not at present able to see how that could be done and carry out the instructions in detail.

I think it most desirable that these Rules should be laid down in language that is unmistakable; and if we err somewhat on the score of length we certainly have the satisfaction of knowing that the very length, perhaps, has the result of making the Rules appear in such a form as to be practically understood by everybody who reads them. As these Rules, especially with regard to the lights of the small boats, will have to be read by men who are not of a high class of intellect or education, I think that, perhaps, although they appear somewhat lengthy, that the Committee have very wisely acted upon the supposition that their function was to define everything as clearly as they could.

I think, therefore, that although perhaps it is possible that the Rules might be framed in shorter

words, yet I confess that I do not see now, myself, how that could be done without the loss of some precision and particularity. Having these circumstances in view, I cordially support the proposal of the learned Delegates from the United States to adopt the Report of the Committee which has been presented to us. I am certain that all the Delegates will feel that we owe our thanks to those gentlemen who have considered the matter so very carefully and given us such an interesting Report.

Captain Richard (France).—Mr. President, permit me first to present my congratulations to the Committee for the careful and at the same time practical performance of the work which was intrusted to it. But I do not think that it will be possible for us to adopt the whole Report in one block, as proposed by the learned Delegate from the United States. I should first state that, as the Representative of France in that Committee, I should not too strenuously object to the decision which has been arrived at. But there are a certain number of countries here which have not been represented in the Committee. It seems to me that it would be an act of courtesy to them to read to them the different Articles adopted by the Committee, so that if they have an objection to present or a proposition to make they may do so before the work of the Committee is adopted as a whole. This would, perhaps, make us lose a little time—if we can call it a loss of time—but at least it would be a mark of respect which we owe to our colleagues.

On the other hand, I concur in the opinion of my honourable friend, Admiral Bowden-Smith, that one of the Articles is too long, almost as long as the rest of the Rules of the Road. I think that if we could abbreviate it, while leaving it perfectly clear, it would be a great advantage to all those to whom these Articles apply. We should not take this necessary quality of clearness away from it. I think that these things interest not only fishermen but also all sailors.

I therefore propose that the different Articles of the Report of the Committee be read in order to allow each of the Delegates to give his views, make such objections as he may think necessary, and submit amendments, and that we thereafter fully discuss the Articles.

Mr. Hall (Great Britain).—Mr. President, I apprehend that it really is the proposal of the learned Delegate of the United States that each Article should be read and submitted to the Conference. Then if any Delegate has any amendment to propose the Conference will proceed to discuss that amendment. I think we might dispense with the Rule requiring these amendments to be printed, as we have the Report before us. I have no doubt that the learned Delegate of the United States will agree in this proposition that each Rule, as proposed by the Committee, be taken, and then take any amendments which may be proposed.

The President.—It is moved that each Article be read and considered separately by the Conference. The Secretary will please read Article 7.

Article 7 is in the words following, to wit:—

"Article 7. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand ready for use, and shall on the approach of or to other vessels be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

"To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens."

The President.—Article 7 is before the Conference for consideration. Is the Conference ready for the question?

The question upon the adoption of Article 7, as it appears in the Report of the Committee on Lights for Small Craft, was put to the Conference, and the Article was adopted.

The President.—In Article 8 there is no alteration. Article 9 will be read, paragraph (*a*).

Paragraph (*a*) of Article 9 is as follows:—

"Article 9. (*a.*) A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side and the green light only on the starboard side."

The President.—Paragraph (*a*) of Article 9 is now before the Conference for consideration.

Mr. Flood (Norway).—Mr. President, I took the liberty on the first reading to propose in the fifty-second amendment that the words "on her station" should be struck out. I suppose it is not worth while to argue at any great length now, since I see that the Committee have retained the same words "when engaged on her station on pilotage duty." I cannot see the necessity for that expression. A pilot-boat, I think, is on her station when she has pilots on board and is out in the surrounding waters looking for vessels. So I think there would be no difficulty in striking out what I consider to be superfluous words, "on her station." We know that these boats are often met with far out at sea, and in that case they are on their station. The principle in this Rule applies to the case where they do not have pilots on board, and then they have to comply with the Rules like other

vessels. I would, therefore, ask the Committee whether they would be willing or think it worth while to strike out the words "on her station."

Mr. Hall (Great Britain).—Mr. President, I would point out that it is not the intention of the present Committee to change the wording of the old Rule, and, so far as I know, there has never been the slightest dispute about it. They are the words contained in the old Rule.

Mr. Goodrich (United States).—Mr. President, I am somewhat suddenly called upon by my colleague, Captain Shackford, to present the views of the New York and New Jersey pilots on this question. I have to say to the Conference that there are two sets of pilots in the Harbour of New York, both under the same general Regulations. One set of pilots are licensed by the State of New York, and the other set are licensed by the State of New Jersey; but they cruize indifferently in the waters of the Bay of New York and outside. The first suggestion which occurs to me in regard to this amendment is with regard to the words "engaged on their station on pilotage duty," which do not accurately define themselves. I may use the name of my friend, Mr. Benedict, I suppose, in this Conference. He said to me the other day that he thought something should be inserted to define what the words "engaged on their station on pilotage duty" in the present Regulations at sea mean, because some of our pilot-boats cruize out 400 or 500 or 600 miles.

Another suggestion is that there is just outside of the entrance buoy one of the large pilot-boats stationed, to take off the pilots that leave outgoing vessels. Is that vessel engaged on her station in pilotage duty? Of course if she is at anchor the answer is at once made that she must show the lights of a vessel at anchor. There is a little inconsistency here. Another suggestion is this: I have here a communication from New Jersey pilots addressed to the Chairman of the Board of Commissioners for Pilots for the State of New Jersey, in which they say:—

"It is the unanimous opinion among pilots in our office that their boats should carry side-lights. Our business requires us to constantly cruize in the paths of vessels, and the risk of collision would be very much increased if deprived of the use of them. There have been several boats lost that would probably be afloat now if, instead of using the white light they were required to, they had used the side-lights. We will mention one, the "A. T. Stewart." She was floating out across the bar upon a fine dark night, with hardly wind enough to work the boat. The steam-ship "Scotia" coming in made her white light ahead of her, and was undecided as to whether it was a vessel at anchor or under way. Side-lights would have saved the boat. After several such experiences white lights were ignored, and the side-light took its place on all the New York boats. About all of our boats now carry a white masthead-light hid aloft in a canvas cage, which on the approach of a steamer they lower in sight and burn a torch, covering the side-lights for the time, to distinguish us from a schooner or other sailing-vessel. Nearly all steamers coming here now are so used to these signals as to know the pilot-boat at once from other vessels using the torch. These signals seem to answer best the needs of the pilot-boats, as far as our experience goes, and if made generally compulsory might be better than a more complicated system.

"In regard to boats burning a torch-light every two or more minutes during the night, it seems to be the opinion of the New Jersey pilots as altogether needless. It is often the case that from three to a dozen boats are in sight of each other, and the burning of so many torch-lights would be a nuisance to all concerned. It is always the custom of pilots to burn the torch when near any craft requiring a pilot, which seems about all that is required of a torch. It is also the opinion of the pilots that we should carry a gun, as all our boats do, to signal the presence of a pilot in stormy weather, it often being the case that a boat will board one or more steamers on a cruize without ship or boat seeing each other, the steamer being attracted near enough to stop and the yawl pulls to her. It is also a necessity for our safety, as owing to the noise of the steamer no ordinary fog-horn can be heard in time to avoid a collision, more especially with the fast ships of these times."

Then I have an opinion from the New York pilots, and they say:—

"After receiving a signal from a vessel that she wants a pilot, a pilot-boat shall exhibit her side-light, and continue to do so until the pilot has been put on board the vessel."

The Philadelphia pilots say:—

"It is the opinion of the Pennsylvania pilots that the ordinary red and green lights when cruizing and on station, and the white masthead-light, with the additional use of a flash-light."

Other pilots of Pennsylvania say that their opinion is:—

"That the ordinary red and green lights when cruizing and on station, and the white masthead-light, with the additional use of flash-lights."

In that connection I call the attention of the Conference to Article 9, extra amendment No. 12. The Conference will remember that these pilot-boats cruize outside the Harbour of New York, and are vessels of considerable size. Their habit is to cruize out several hundred miles at sea with a half-a-dozen pilots on board. They ship their pilots into the incoming vessels until they have exhausted their complement, and the pilot-boat is then returned to the harbour. I am unable to see why pilot-boats, under these circumstances, should not have the same lights as any other sailing-vessel. While they have the white light caged, let them while cruizing carry their side-lights like any other sailing-vessel When they come within speaking distance of a vessel on which they wish to put a pilot, let them cover their side-lights and display their masthead-light, and in addition thereto exhibit a flare-up light. That seems to me to be a very simple solution of this whole matter. Of course, I can only speak of the desires of pilots in American waters, and whether the amendment would be

agreeable to the Delegates from other nations, and the customs and use of pilots, I do not know. I can very quickly, with the assistance of Captain Shackford and Captain Norcross, formulate an amendment which will meet that desire.

Mr. Hall (Great Britain).—Mr. President, I have no doubt that if we asked the opinions of the New Jersey pilots, and the New York pilots, and the English pilots, and the Chinese pilots, and the pilots generally, they would all say that they should carry the light that they carry now. I think that the Delegate from the United States who has an amendment on this point will find that the Committee has provided for the very case which he suggests. I will draw attention to it directly, when we come to discuss the subsection dealing with it. The Conference will remember that one of the Delegates of the United States was on this Committee, and he approved of the Report of the Committee on Pilot-Vessels.

Mr. Goodrich (United States).—May I interrupt my friend one moment. I understand that in the Committee——

Admiral Nares (Great Britain).—Mr. President, I may say that I was attending this Committee in Mr. Gray's place, as Chairman of this Committee, when this Article was up for consideration. I understand this proposal is for a masthead-light to be screened, and only to be unscreened at certain times, instead of, as we have proposed, the red and green lights to be unscreened. If that is the proposal, as I understand, it was fully considered by the Committee, and although we were not unanimous, the Committee said that it was not a good proposal.

Mr. Goodrich (United States).—Let me ask the gallant Admiral if that vote was not decided by the vote of the Chairman, the Committee voting 4 and 4, and the vote being decided by the vote of the Chairman?

Admiral Nares (Great Britain).—I do not think I would care to enter into the particulars. I have already said it was not the principle adopted by the Committee. The Conference well know that now. As to the number of votes, I should not care to enter into that

Mr. Hall (Great Britain).—Mr. President, what is the proposal here? I think it most desirable to settle, even now, any suggestion that comes before the Conference. The proposal is that pilot-boats shall carry their side-lights when they are not actually engaged in pilotage duty. That is the principle, as I take it. If the honourable Delegates will look at subsection (*c*), they will see that this is expressly provided for by the Committee. This is the law at the present time. It is the existing law. It is the actual Rule as it exists now with regard to the pilot-vessels; and the only words inserted there by the Committee are, "whether under sail or steam," so as to include a steam pilot-vessel, which did not exist when these Rules were originally framed.

I understand from one of the Reports that has been read to us that they propose a light to be flashed, a white light to be flashed like the red or green light. That proposal was made in the outset. It was a proposal which we considered in England, and we made inquiries amongst the pilots. The pilots were not delighted with it because they did not like to carry another light. But we have got to think about the safety of life in general and the safety of other vessels.

Perhaps it may be onerous upon them to a certain extent to buy a new lantern, or two new lanterns; but we have to think of the safety of other vessels. We know that it is a very dangerous thing for vessels, when a pilot comes up alongside of them and suddenly puts her helm up or down and goes under their bows. Every practical sailor knows that this is dangerous. I do not think it is any hardship upon pilot-vessels to require them to gie a warning as to what they are doing; but we want to do it in as slight a way as possible. Instead of compelling them to carry side-lights, let them give the flash-light with a green or red lantern when they come up to a vessel. That is all the vessel which is going to be approached will want, and therefore this Rule has been suggested. So far as I can see, it certainly complies with the necessity of the case as suggested by the pilots. If the Delegate from the United States who has made this proposal will look at subsection (*c*) he will find this:—

"A pilot-vessel, whether under steam or sail, when not engaged on her station on pilotage duty, hall carry lights similar to those of other vessels."

But directly they are on their station and want to give a signal that they are pilot-vessels, when it is necessary to let other vessels know that they are pilot-vessels, then they are to carry a white light at the masthead and exhibit a flare-up light at short intervals. If they carry the side-lights, how is a vessel to know that they are pilot-boats at all? Why can such a pilot-boat not be mistaken for a steamer, and what is there to prevent an approaching vessel from thinking that she is a steamer? She wants to know where a pilot is. It is to the interest of the pilots that vessels should know of their proximity, and be able to send for them, if desired. They want to advertise their calling, like a good many others, and this gives them the best opportunity. When they have made known their whereabouts, and want to take charge of a vessel, as a pilot, and are able to do it, then let them have their red and green lanterns so as to show what they are doing, when they are getting near to a vessel. In England, certainly, we have thought that this was the least onerous thing we could put upon the pilot consistently with the safety of other vessels; and we certainly think that in the interest of the safety of human life it is desirable to make the pilots give a warning as to where they are and what they are doing. For this reason we cordially support the Report of the Committee on Lights.

Admiral Nares (Great Britain).—Mr. President, before the discussion goes any further may I be allowed to allude to the principle which underlies this white light, and the principle which underlies the use of the red and green side-lights? So long as a pilot-vessel is carrying the red and green lights she is moving through the water in some direction, much the same as any other sailing-vessel that has to carry the green and red lights. But immediately she gets to her station of pilotage duty—and you may word it as you like, so that you embrace that position—she stops going at the same speed that an ordinary sailing-vessel would go, and practically becomes stationary. She is then in

practically a different situation, and she ought to show the white light which all other stationary vessels do show. It is the law at present underlying the whole of these Rules that a single white light, by itself, is practically a stationary vessel, and so long as a pilot-vessel is stationary and stays on her station on pilotage duty and waiting for a vessel to approach her, the principle is to give her the white light. When they are not stationary, when they are moving through the water as any other ordinary vessel is moving, then they should have the red and green lights.

Captain Shackford (United States).—Mr. President it appears to me that these pilot-vessels, under this subsection (*c*) have to carry the ordinary lights for sailing-vessels. Besides that it requires under this section that they have to carry a distinguishing white light. Besides the white light, they have to carry a second distinguishing flare-up. You now propose to add a third distinguishing light.

Admiral Nares (Great Britain).—Mr. President, I think there is some mistake about that. There is no additional light provided for.

Captain Shackford (United States).—Mr. President, perhaps I do not read subsection (*a*) right, but it says that a pilot-boat shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously.

Admiral Nares (Great Britain).—Those are side-lights.

Captain Shackford (United States).—The side-lights are not flash-lights. It provides for a third distinguishing light, as I read it. You have now a pilot-boat compelled to carry a red and green side-light the same as any other vessel, under subsection (*c*). She is also to have a distinguishing white light and also a distinguishing flare-up light. Now you propose to add a third distinguishing light, besides the two ordinary side-lights. I want to ask if we cannot do without some of these distinguishing lights.

Mr. Goodrich (United States).—Mr. President, let me say that Captain Norcross has given a good deal of attention to this subject and has a proposition in regard to this matter. I think that perhaps the Committee has not seen how much of a burden they are imposing upon these vessels. In the first place, with regard to what Sir George Nares says, I do not think that the principle or theory which he states underlies the Report of the Committee is carried out in it. For instance, subsection (*c*) says :—

"A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels."

That is the question to which I addressed myself in my former remarks. When is a pilot-boat engaged on her station on pilotage duty? Is it when she is cruizing out 400 or 500 miles seeking for vessels, or does that station mean the instant that, having sighted a vessel, she covers her coloured lights and shows her white masthead-light for the purpose of attracting the attention of that vessel?

Now the system proposed by Captain Norcross is a very simple one, and, as I understand it, is in accord with the desires of the pilots. I am not standing here to argue against any new burden or any new lights being imposed upon pilot-boats, I argued in regard to another subject that I did not object to having another light put upon vessels, if the carrying of such a light secured additional safety. This is a proposal which it seems to me would be a fair substitute for the whole of Article 9, subdivisions (*a*) and (*c*), leaving subsection (*b*), which relates to a small class of pilot-boats. It is this :—

"A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, may carry her side-lights like other vessels, and a bright white masthead-light caged or screened to be shown only when desiring to attract attention to offer service, and at such time she shall exhibit a flare-up light every fifteen minutes."

It is the same principle as is contained in the Report of the Committee except as to carrying her side-lights at all times when she is not desiring to attract the attention of vessels, and she has at the same time a caged or screened white light at the masthead, from which she can lift the screen when she desires to attract the attention of approaching vessels. It seems to me that the principle is just the same.

Mr. Flood (Norway).—Mr. President, the distinguished Representative from England has already said what I intended to say, and I have nothing more to add about pilot-boats. But I would still say a word in favour of having these words "on her station" struck out. I would take the liberty to ask the English Delegate how they explain the words "being on her station." When are these pilot-boats on their station? Is it when they are cruizing out in the seas trying to get a chance to put a pilot on board a vessel? Are all of these vessels then really on their station and should they not be compelled to comply with the Rule? I do not see how it can be said that they are on their station. They are on pilotage duty, but I cannot understand how it is a pilot station when they are cruizing about all over the sea. The same is the case in the North Sea. They are not on their station, but they are on pilotage duty. I would still propose that these words should be struck out. I adhere to my amendment.

Captain Donner (Germany).—Mr. President, I know very well that there are pilot-boats which are, if not on the pilot station, on pilot duty. They are cruizing about. There are a great many pilot-boats which actually have their stations and which go out there and heave-to, because they know very well that all of the ships coming in must pass this place within a certain distance. That is the reason, I believe, why these words have been inserted in this Article. They exclude every possibility of mistake. If a pilot-boat really is on her station then she is on pilotage duty, and therefore she has to fulfil the requirements of this Article—that is to say, every pilot-vessel

which actually has pilots on board and is willing to give pilots to other ships. Therefore, when she wants to attract the attention and notice of a ship she carries a certain distinctive light, and that has always been up to this time a single white light. This white light is to be carried if the vessel is cruizing about or if she is hove-to. Under all circumstances she is to show the single white light us long as she is willing to furnish pilots to ships. This white light is to be taken down and substituted by red and green lanterns as soon as the pilot-vessel is not on pilotage duty, and not on her station. That is to say, if a pilot-vessel goes out of the harbour at Hamburg, perhaps going out to the Channel to offer her services to a vessel coming in, she will not have to carry the white light during her passage; but during this time she will have to carry the red and green side-lights. As soon as she arrives she will hoist her white light. So I dare say it is not necessary and would not perhaps be safe to strike out the words " on her station." They cannot do any harm.

Now with regard to the other proposition of the learned Delegate from the United States, that pilot-vessels are to carry the red and green lights permanently, and up to the moment that they want to board a ship or to approach a ship for the purpose of furnishing a pilot, and at that moment they are to uncover their white light, in this way showing that they are pilots. This amendment was not favoured in the Committee, because we said it is very necessary that ships approaching should be able to recognize a pilot-vessel in the distance, and that it would be impossible to do so if they had not the permanent white light, or any other distinctive white light, permanently carried. Therefore, the amendment of Captain Norcross was refused in the Committee. One of the American Delegates just now said that this Article laid upon the pilot-vessel the duty of carrying three distinctive lights. That is really not the case. It is not intended to give them more lights than they are obliged to carry now. They are obliged to carry now one white light and a red and green side-light, but the red and green side-lights are only to be arranged in such a way that they can either be shown as required by Article 7, or they can be flashed by having the screen put over them. It will be optional with pilot-vessels as to how they will do that. Another distinctive light is not required for pilot-vessels.

Mr. Verney (Siam).—Mr. President, I have been to sea in pilot-boats, and that accounts for my interest in this subject. I also happen to know a good many pilots in Liverpool, and some in this country. I am rather astonished to hear what the gallant Admiral from Great Britain has said with regard to the boat being stationary, for it was very seldom that we were stationary, or when we were on our station. As long as we were stationary, I can quite understand the argument which the gallant Admiral used; the pilots have said that they are forced to show the side-lights, whatever the law may be, for their own safety. That, I believe, is a fact in this country as well as England. What I venture to suggest is, that all things might be harmonized by permitting them to put up their side-lights for their own safety if they should desire to do so.

Admiral Nares (Great Britain).—Mr. President, I think that the word " stationary " must be qualified. Of course a pilot-vessel is not stationary. She is hovering about, or, as Captain Donner has said, perhaps she is hove-to, or perhaps she is just jogging along.

Mr. Verney (Siam).—I did not mean that she was absolutely stationary.

Admiral Nares (Great Britain).—Then as regards the wishes of pilots. With regard to that, all I can say is that in Great Britain there has not been one application before the Board of Trade asking for any such lights as the learned Delegate from Siam wants to have.

Mr. Verney (Siam).—I do not wish to mislead the Conference. I only desire that pilot-boats should be permitted to carry the side-lights for their own safety when they desire to do so.

Mr. Verbrugghe (Belgium).—Mr. President, I fully agree with what has been said by the honourable Delegate from Germany, Captain Donner. The discussion now is as to whether the proposal of the Committee is a better one than the proposal of the learned Delegate from the United States. Let me say one word for the white light. It is said that the white light is given to a pilot-boat when she is really on duty on her station, and a discussion has been commenced about the word " stationary." I believe that what is meant by the word " stationary" is what has been already pointed out by the gallant Admiral, Sir George Nares. It is the white light which gives the boat which carries it a certain immunity. When a pilot-boat is on her station, on pilotage duty, she is doing such work that she must be cared for by other vessels passing. I have already pointed out on another occasion to this Conference that she has to have her boat in the water, and therefore the white light has been very properly given.

In regard to the objection that the pilots wish to have the side-lights, may I say only one word about the Liverpool pilot-boats? It was not my intention to speak about a letter which I have received; but I may, perhaps, be allowed to say that it is the desire of the pilots to keep what they have—that is, the white light with the aid of the flare-up. When the pilot-boat, for some reason or other, cannot really carry out her duty, she becomes an ordinary boat, and then takes the signal of an ordinary boat; that is to say, the side-lights. Our proposal in the Committee was, I believe, a very fair one, and it was to keep the white light for pilot-boats, with all the immunities carried with such light, and perhaps the red and green lights flashed when necessary, when it is the desire to put a pilot on board, to enable the other vessel to see where she is.

The reason why we prefer the flash-light is easily understood. As pointed out in Article 7, a mistake would often occur between such a pilot-boat and a steamer. Whereas, I believe there is no mistake now to be apprehended on that score. The preference should be given to the proposition of the Committee on Lights for Small Craft, and for this reason: It has already been pointed out that there is a great necessity that a pilot-boat should be known at a great distance. A vessel may pass a pilot-boat without being aware that there is one in the locality. It is very much to the interest of the pilot, as well as to the interest of the ship, to know the presence of a ship that wants a pilot. If you reverse the question, you may not be able to tell a pilot-boat from an ordinary boat. She is only to make this flash of the white light at a certain time to show that she is a pilot. Why should we not leave her the characteristic light? She is always a pilot-boat as long as she can carry on her business.

When she cannot carry on her business, on account of the weather or some other circumstance, then she has to protect herself, and for her own security she puts up the ordinary lights.

I would, therefore, very strongly insist that of the two our proposal is the better. We have debated the matter in our Committee, and we have considered it very carefully. We have given the preference to this proposal, because these are the lights which better answer the purposes of all cases which relate to the intercourse between vessels and pilot-boats.

Now, one word in regard to what Captain Shackford has just said. It has already been pointed out by the honourable Delegate from Germany that we have not tried to put in any new light. The distinction is very easily made. When the pilot-boat is not on duty and on her station she is an ordinary boat, and carries the red and green side-lights. When she is on her station and engaged in the duty of offering pilots, she is not an ordinary boat. There is nothing changed. This is the Rule as it stood, with this difference, that we have enabled the pilot-boat, by giving to her a flash-light, to show to other vessels what tack she is on. I believe that the proposition of the Committee on Lights for Small Craft contains everything which may be desired on the subject.

Mr. Goodrich (United States).—Mr. President, let me see if I have not embodied what will meet the views of the Conference. I will read from Article 9, sub-section (*a*). Perhaps this proposal will meet with the views of the Conference.

"A pilot-vessel, whether under sail or steam, when engaged in cruizing on pilotage duty, shall carry the lights required for other vessels, and shall carry the white light at the masthead caged or screened, and when desiring to attract the attention of an approaching vessel for the purpose of putting a pilot on board, shall display the masthead-light and cover the side-lights; and shall also, at all times when engaged on pilotage duty, exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes."

This, in the first place, defines what the station of a vessel on pilotage duty is. When she is engaged in cruizing to put pilots on board, or coming home after having put pilots on board of different vessels, or doing anything else except attracting the attention of a vessel on board of which she desires to put a pilot, she is an ordinary vessel and must obey the ordinary law. When she is approaching a vessel she must screen her coloured lights, unscreen her masthead-light, and she then becomes a pilot-vessel, with the ordinary well-known light of a pilot-vessel; and in addition to that, to meet the case of making her presence known to approaching vessels which she does not see, and to enable the approaching vessel to find where a pilot is, she displays a flare-up light every fifteen minutes. It seems to me that is a very simple solution of the difficulty.

Captain Donner (Germany).—Mr. President, I think that if this proposal is accepted it will come to just the same thing we have proposed. No one has given a Regulation by which the time is fixed at which the pilot is to hoist up the white masthead-light and take in his side-light. It is quite clear that if a pilot does not show a distinctive light showing that he is a pilot, nobody will be able to know him; and it is therefore clear that every pilot, being anxious to earn some money, will show this white distinctive light as soon as he thinks there is any opportunity of catching a vessel. If this proposal of the Committee is accepted, matters will be in this shape: A pilot-vessel may at any time say: "I am on my ground; I am now beginning to look out for vessels who want a pilot." Then, by our Rule, he is obliged to show a white light and take in his red and green light. The only difference between this and the proposal of the honourable Delegate from the United States is that he would hoist up the white light and would uncover it. That is the only difference I can see. It really comes just to the same thing.

I may say that showing this flare-up light every fifteen minutes is not a distinctive light, because we have allowed all ships to use the flare-up as much as they like. Pilot-boats often occupy the same waters as small vessels and fishing-vessels, and they all show the flare-up light. Therefore, pilots would not be able to make themselves known as pilot-vessels by simply showing the flare-up light. My opinion is that there is really no practical difference between the two proposals; and I should say that the Conference ought to favour the proposal of the Committee on Lights, because it really shows clearer what is meant to be the duty of a pilot. In fact, it is all left to the pilot himself. He can hoist the white light when he likes, and take it down when he likes. He is only obliged, when he takes it down, to show his red and green light, and if he hoists it again to take them in.

Mr. Hall (Great Britain).—Mr. President, under this Rule there is nothing to prevent the New York and New Jersey pilots from carrying their white masthead-light and screening it instead of taking it down. As long as they have to carry it, it is to be presumed that they would carry the lights which they are now carrying. I am certain that we shall all agree to this We have got to consider this as a question of principle, and not merely as to its effect upon particular New York and New Jersey pilots; but we want to arrive at the principle that the white light is the distinguishing light for a pilot-vessel practically all over the world. The learned Delegate from Germany has pointed out that the result of the deliberations of the Committee are practically the same as that which is proposed by the Delegates of the United States. I certainly think we should be very wise to accept the deliberate proposal which has been carefully drawn up, rather than the proposal just made, which we have not before us in print, and which might possibly—although I do not think it likely, having regard to the talent of the learned Delegate of the United States—which might possibly have some omission in it which we have not been able to notice. As we are agreed in principle, I think we ought to adopt the deliberate and careful conclusions of the Committee upon the point.

Captain Donner (Germany).—Mr. President, I had forgotten to say that there is a slight difference between the proposals which is of great practical value. The proposal of Mr. Goodrich is that a pilot-vessel, as soon as she wants to get into communication, is to uncover her white masthead-light and to screen her red and green side-lights, or cover them up in some way. We are practically

all agreed that if a pilot-vessel actually tries to come alongside another vessel, for the purpose of boarding her or to put a pilot on board, there generally arises great danger of collision, because the ship could not see how the pilot-boat was lying because she had no side-lights. That is the system as it now stands under the old Rule. Therefore we provided against this danger of collision, and have arranged that pilot-vessels, if they approach another ship, shall flash the red and green lights; that is, shall show the red and green lights, if necessary, to indicate which way they are heading. That is all done to prevent collision, and it is only to be done if the pilot-vessel is closing up on another vessel. For this danger the amendment of the honourable Delegates of the United States does not provide, and that is indeed a very practical difference between the two proposals. We think that the proposal made by the Committee is the better one, because it provides for this danger, and gives security from this danger at a time when the two vessels are going to meet.

Captain Sampson (United States).—Mr. President, I would like to point out to the learned Delegate from Germany that it appears to me that this is better provided for in the amendment which has been offered by the learned Delegate from the United States, because the side-lights are fixed lights, they are always present, and they are not to be shown or flashed. They have simply to be uncovered when necessity requires the red or green light to be shown, in order to give notice of the direction in which a vessel is steering. It appears to me that it would be in the direction of safety if these lights should be kept in a fixed position, to be exposed when, in the opinion of the pilot-boat, it became necessary to do so. It would be easier to uncover these lights than it would be to flash them, as has been provided for in the proposition presented by the Committee.

Captain Donner (Germany).—Mr. President, I beg to say that the proposal of the Committee in no way says that the light shall not be fixed. It gives the pilot-boats the right to have their side-lights fixed and screened, or to take them on deck, as is arranged by Article 7, because pilot-boats very often are small vessels, and really are not able to always carry the side-lights fixed. It has been thought necessary, therefore, to provide for both cases, and to leave it to their option whether they should have the side-lights fixed with screens, which can be taken away or uncovered if necessary, or to have the side-lights on deck, just the same as provided for in Article 7. I dare say that it will actually come to the same thing, and that every pilot will carry his side-lights as long as he possibly can fixed, because it is much more ship-shape and comfortable to have them in their regular place than to have them on deck, where everybody falls over them. This Rule will only be altered when they are not able to carry their side-lights fixed. This option must always be left to them.

Captain Richard (France).—Mr. President, I ask permission to submit to the Conference some observations from a standpoint which, it seems to me, has not been taken up.

In the first place, I should state, as a question of principle, that if it is necessary to give a distinctive signal to pilots they must also be compelled to always carry it when they are on their station. It has not been looked at from this point, that when pilotage is compulsory, as it is in many countries, when a vessel asks for a pilot she must immediately find one. If there are two vessels, the pilot is forced to take the first one which claims his services. But if you give to the pilot-boat the right to cover her lights, the vessel which requires her cannot distinguish her. Then the pilot-boat can take her choice and take the largest vessel, because the pilot fees for large vessels are more remunerative than those for small vessels, and the proposition of the honourable Delegate from the United States will allow her to conceal her lights in order to take the former and not the latter.

It seems to me absolutely of no importance whether you give a pilot-boat a white light, or a red light, or any other light, provided the distinctive signal be visible at a great distance, and in all weathers.

I think that you are introducing into the Rule a germ of discord if you leave to the pilot-boat on her station, in search of vessels, the right to show her side-lights. Why allow her to be at certain times an ordinary vessel and at other periods, when she considers it necessary, a pilot-boat?

When she is on her station she should always be ready to do her duty, and she should always show that she is ready to do so.

Captain Shackford (United States).—Mr. President, perhaps I do not understand the meaning of the word "flash" as intended by the Committee. I would like to ask whether in this second section, subsection (*a*), when they say flash, they mean that they shall uncover one of them. As I understand the meaning of the word "flash," it is to show a light and hide it again and then show it again. That is always what I have understood to be the meaning of the word flash.

Captain Van Steyn (the Netherlands).—Mr. President, I want to say that I quite agree with what has been said by the gallant Delegate from France, and the reason why we tried to get some special signal was so that we would always know that such a vessel was the pilot-vessel.

Captain Richard (France).—Mr. President, I desire to add one word. I see nothing wrong in giving to the pilot-boat the red and green lights provided for by Articles (*b*) and (*c*) when she comes alongside of a vessel; but she should not do so until after she has identified herself to her as a pilot-boat; whereas, so long as the pilot-boat has not been distinguished as a pilot-boat, she must not have the right to carry her red and green light.

The President.—The Delegate from Norway proposes to amend by striking out the words "on her station" in paragraph (*a*) in the second line. Is the Conference ready for the question upon that amendment?

The question was put to the Conference, and was lost.

Captain Shackford (United States).—Mr. President, may I offer an amendment? I would like to insert after the words "and shall flash" the words "or uncover" one of them.

Captain Bisbee (China).—I thought it was understood by the Committee on Lights for Small Vessels that this flash was to be flashed by uncovering it suddenly and by covering it suddenly.

Captain Shackford (United States).—How long were they to keep up that operation on the side-lights?

Captain Bisbee (China).—As long as it is necessary.

Captain Shackford (United States).—That is somewhat indefinite.

Mr. Verbrugghe (Belgium).—Mr. President, may I remark that if we say "shall uncover the lights" there may be a mistake? The Committee has taken great care to make a difference between the lights to be shown under Article 7 and Article 9. As has been pointed out by the gallant Delegate from France, a pilot-boat is to use the flash to make herself known; and these lights are only to be flashed, not to be shown in a permanent way. When they are screened and uncovered, they may be uncovered for too long a time, but when they are flashed they are very different from the light shown under Article 7. I do not see the necessity for inserting the word "uncover." I will repeat that, because I am sure there will be a misunderstanding about it. I want it expressed so as to say that it shall be flashed. It is only a doubt, which I may express, that if we add the word "uncover," it may be uncovered for too long a period, and sailors will be puzzled to know what it means. The intention is that the light shall be flashed, but I do not object to any words being put in so long as the character of the light is not changed.

Captain Shackford (United States).—Mr. President, it seems to me, if I understand correctly, that there will have to be just at the time when a pilot-boat is getting ready to board a vessel, when she requires all her hands to get the yawl out—there will have to be a hand on the starboard side and one on the port side to flash the red and green lights.

The President.—The question is upon the amendment of the Delegate of the United States to add the word "uncover" after the words "shall flash."

The question was put to the Conference upon the amendment, and was lost.

Mr. Goodrich (United States).—Mr. President, I should like to ask the Committee for information. Considerable criticism has been made at one time and another upon the words in the first line of Article 9, "when not engaged on their stations or pilotage duty." When is a pilot-vessel engaged on her station and pilotage duty? If she is, as suggested to me a moment ago by the learned Delegate from Siam, hove-to waiting for vessels to approach her, then she is clearly on her station and pilotage duty. But when she is cruizing out to sea 200 or 300 miles, searching for vessels, is she on her station engaged in pilotage duty? I ask for information as to the intention of the Committee on this subject.

Captain Bisbee (China).—My idea is that a pilot-vessel is engaged on pilotage duty when she is attempting to attract the attention of a vessel on board of which she wishes to put a pilot.

Mr. Goodrich (United States).—And only then?

Captain Bisbee (China).—And only then.

The President.—The question now is upon paragraph (*a*), Article 9.

Mr. Goodrich (United States).—Mr. President, if there are no other amendments, I suggest that we take the whole Article as it stands, unless somebody has an amendment to Article 9.

The President.—The Chair desires to put paragraph (*a*) to a vote, and then we can consider paragraph (*b*).

The question was put to the Conference for the adoption of paragraph (*a*), Article 9, and it was adopted.

The President.—Paragraph (*b*) will be read for the information of the Conference.

"Article 9 (*b*). A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the masthead.

"Such vessels shall also be obliged to carry the side-lights proposed for larger pilot-vessels, but in this case they shall have ready at hand a lantern with a green glass on one side and a red glass on the other side, and on approaching a vessel to put a pilot on board, or on approaching to or being approached by a vessel, such lanterns shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

Admiral Nares (Great Britain).—Mr. President, I may say that this clause was put in to meet the case of a very numerous class of pilot-boats, which are obliged to go alongside of a vessel to put a pilot on board. It is quite impossible to give their tonnage or to give any limit to their size. You will see that it is worded so as to prevent a rigged pilot-vessel from carrying these lights.

The President.—The question is upon paragraph (*b*).

The question upon the adoption of paragraph (*b*), Article 9, was put to the Conference, and the paragraph was adopted.

The President.—Paragraph (*c*) is the next subject for consideration. The Secretary will please read it.

Paragraph (*c*) is as follows:—

"A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels."

The question upon the adoption of paragraph (*c*), Article 9, was put to the Conference, and adopted.

The President.—The next subject for consideration is Article 10. The Secretary will please read it.

"Article 10. Paragraph (*a*) of this Article applies only to boats and vessels propelled by sails or oars of less than 20 tons gross tonnage, and only to such boats and vessels when they are under way. It therefore applies also to fishing-vessels of less than 20 tons gross tonnage when they are not actually engaged in fishing, but are under way.

"(*a.*) Boats and fishing-vessels of less than 20 tons gross tonnage shall not be obliged to carry

the coloured side-lights; but every such boat and vessel shall, if she do not carry such coloured side-lights, have ready at hand a lantern with a green glass on one side and a red glass on the other side, and on approaching to or being approached by another vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

Captain Van Steyn (the Netherlands).—Mr. President, I wish to state that I desire to make a remark about paragraph (*a*). I made a mistake in the Article, and therefore I could not make my remarks before this time.

The President.—What does the Delegate wish to do?

Captain Van Steyn (the Netherlands).—I wish to make some remarks on paragraph (*a*). I made a mistake in regard to it.

The President.—Does the Delegate from the Netherlands desire to move to reconsider paragraph (*a*) so that he can make his remarks?

Captain Van Steyn (the Netherlands).—Yes, Sir. I move to reconsider paragraph (*a*).

The President.—The question is upon the motion to reconsider paragraph (*a*), Article 9.

Mr. Goodrich (United States).—Mr. President, I think we had better listen to the gallant Delegate from the Netherlands, if he has any suggestion which he may desire to make.

The question of reconsideration of paragraph (*a*) was put to the Conference, and carried.

Captain Van Steyn (the Netherlands).—Mr. President, when I proposed in the forty-eighth amendment to have special lights for a pilot-vessel, the principal reason why that was thought of was owing to the difficulty of finding a pilot-boat when she was surrounded by fishing-vessels in the North Sea and Channel, where all exhibit white lights. In the new Article, subsections (*c*), (*d*), and (*g*), these white lights are proposed now for fishing-vessels over the whole world, and the difficulty which we have in the North Sea and Channel will now be found everywhere. The flare-up light is made permissive to every vessel, by adoption, is frequently used by fishermen, and that cannot help us in this difficulty; neither do the green and red lanterns screened or ready at hand, which are only to be exhibited when there is risk of collision or when the pilot must be put on board.

I, therefore, again draw the attention of this Conference to the proposal of the Dutch Delegates, and ask the favour to have it discussed. Certainly the principle of giving to a pilot-vessel a special signal is desirable. It seems to me that the amendment of the honourable Delegate of the United States to give a red flare-up light is also in the direction of giving them some special signal. If a flash-light could be given, the masthead-light could be screened so as to enable them to give flashes with it, but it would be mistaken for a light on shore.

Admiral Nares (Great Britain).—Mr. President, I will say that these matters were considered in the Committee on Lights for Small Craft, and, as I stated before, the principle was adopted that the white was the best light for the pilot-boat when she was practically stationary and on her station, for her own safety; and it was also the best light to protect a vessel which wants the pilot. It is a well-known signal. Of course it would be a very expensive thing to make the flare-up oftener than every fifteen minutes; but the single white light is a very powerful light, and is a protective light to vessels approaching a pilot-boat. I think you will find that you ought to have a powerful light. If you add a red light to it, it is only adding to the number of lights which we already have, and the red light, of course, would not show as far as the white light. It is not a protective signal.

The President.—Does the Delegate from the Netherlands wish to have his amendment No. 48 considered?

Captain Van Steyn (the Netherlands).—Yes, Sir; I would like to have it considered. I am not particular about the signal mentioned, but I should like to have some distinctive signal.

The President.—The Chair would state that the Committee on Lights for Small Craft have already designated a signal for pilot-vessels, if the Delegate has no other signal to designate.

Captain Van Steyn (the Netherlands).—No, Sir; I have not.

The President.—The question then recurs upon the adoption of Article 9, paragraph (*a*), which was reconsidered.

The question was put to the Conference upon Article 9, paragraph (*a*), and was adopted.

The President.—The question now is upon the adoption of Article 9.

The question was put to the Conference upon the adoption of Article 9, and it was adopted.

The President.—Article 10 is now before the Conference. The Secretary will please read it.

"Article 9 (*a*). A pilot-vessel, whether under sail or steam, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry the white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up or flare-up lights at short intervals, which shall never exceed fifteen minutes.

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side and the green light only on the starboard side."

The President.—The question is before the Conference for consideration.

The question was put to the Conference upon the adoption of Article 10, paragraph (*a*), and it was adopted.

The President.—The next subject for consideration will be the note and paragraph (*b*) to Article 10.

The Secretary will please read it.

The note and paragraph (*b*) to Article 10 are as follows:—

"NOTE.—A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the masthead.

"(*b.*) Such vessels shall also not be obliged to carry the side-lights proposed for larger pilot-vessels, but in this case they shall have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching a vessel to put a pilot on board or on approaching to or being approached by a vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

The question was put upon the adoption of the note and paragraph (*b*), Article 10, and they were adopted.

The President.—The next subject for consideration will be Article —, paragraph (*a*). The Secretary will please read it.

"Article — (*a*). All fishing-vessels and fishing-boats of 20 tons gross tonnage or upwards, when under way, and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way."

The question upon the adoption of Article —, paragraph (*a*), was put to the Conference, and it was adopted.

The President.—The next subject for consideration is paragraph (*b*) to Article —.

Paragraph (*b*) to Article — is as follows:—

"(*b.*) All vessels and boats, when engaged in fishing with drift-nets, shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall not be less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel of the vessel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character and contained in lanterns of such construction as to show all round the horizon on a dark night with a clear atmosphere for a distance of not less than 3 miles."

Captain Hubert (the Netherlands).—Mr. President, before we conclude with this Article I wish to hand in an amendment, to put at the end of this paragraph.

The amendment is as follows:—

"It is finally understood and agreed that nothing contained in this Article concerning the lights to be carried and shown by fishing-vessels and boats when actually engaged in fishing shall prevent the Government of any maritime country from making Regulations as to the lights to be carried and shown, and the signals to be made by fishing-vessels and boats actually engaged in fishing in the territorial waters of any such State, nor shall it prevent two or more Maritime States, bordering any seas or waters in which boats and vessels of these States fish in common, from mutually agreeing to express Regulations as to the lights to be carried or shown, and the signals to be made by such boats and vessels, when engaged in fishing in such waters."

The President.—The question is upon the adoption of the amendment which has just been read.

The amendment was put to the Conference, and carried.

The President.—The question now is upon the adoption of paragraph (*b*), Article —, as amended.

The question upon the adoption of paragraph (*b*), Article —, was put to the Conference, and carried.

The President.—The next subject for consideration is the note and paragraph (*c*), Article —. The Secretary will please read them.

The note and paragraph (*c*) to Article — are as follows:—

"NOTE.—The following subsections, (*c*), (*d*), and (*e*), of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea, attached to any vessel in motion.

"(*c.*) All vessels under steam, when engaged in trawling, having their trawls in the water and not being stationary, in consequence of their getting fast to a rock or other obstruction, shall carry on or in front of the foremast, and in the same position as the white light which other steam-ships are required to carry, a lantean showing a white light ahead, a green light on the starboard side, and a red light on the port side, such lantern to be so constructed, fitted, and arranged as to show an unbroken white light over an arc of the horizon of four points of the compass, an unbroken green light over an arc of the horizon of ten points of the compass, and an unbroken red light over an arc of the horizon of ten points of the compass; and it shall be so fixed as to show the white light from ahead to two points on the bow on each side of the vessel, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side. Such vessels shall also carry a white light in a globular lantern, and so constructed as to show a clear and unbroken light all round the horizon, the lantern containing such white light to be carried lower than the lantern showing the green, white, and red lights as aforesaid, so, however, that the actual distance between them shall not be less than 6 feet nor more than 12 feet."

Mr. Hall (Great Britain).—Mr. President, the word "globular," in the twelfth line, should be omitted, The word "and," in the following line, was printed by mistake.

The President.—The question now is upon the amendment of the Delegate from Great Britain, by striking out the word "globular" in the twelfth line, and the word "and" in the following line. The Article will then read, "Such vessels shall also carry a white light, in a lantern, so constructed as to show a clear and unbroken light all round the horizon," &c.

The question upon the amendment of the Delegate from great Britain was put to the Conference, and carried.

The President.—The question now is upon the adoption of the note and paragraph (*c*) of Article —.

The question upon the note and paragraph (*c*) to Article — was put to the Conference, and they were adopted.

The President.—The next subject for consideration will be paragraph (*d*), Article —.

Paragraph (*d*) of Article — is as follows:—

"(*d*). All sailing-vessels of 5 tons gross tonnage and upwards, engaged in trawling, having their trawls in the water and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern, so constructed as to show a clear and unbroken light all round the horizon, and also a sufficient supply of red pyrotechnic lights, which shall each burn for at least 30 seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light shall be shown from sunset to sunrise, and one of the pyrotechnic lights shall be shown on approaching to, or being approached by, another vessel, in sufficient time to prevent collision."

Captain Richard (France).—Mr. President, at the rate at which the Conference is going, there is no doubt that we will expedite the Rules concerning small vessels and fishing-vessels in very short order, for we hardly get time to breathe. I will therefore ask the Conference to explain to me the new expressions introduced into this Report which I cannot well account for. Formerly we distinguished vessels of 20 tons and over. Now I see vessels of 40 tons and of 5 tons mentioned. I ask the Committee to explain to me what that means, and what considerations led them to introduce into the text such tonnages, which represent nothing to my mind.

Mr. Verbrugghe (Belgium).—Mr. President, I desire to answer the objection made by the honourable Delegate from France. I have not noticed anything new. The old Article also made a distinction in the tonnage. It was there 20 tons registered tonnage, and we have changed it to a gross tonnage, and made a distinction for steam-vessels of 40 tons gross tonnage. There was the same distinction formerly, but we have changed the tonnage.

Captain Richard (France).—Mr. President, I see nothing which explains to me the addition of 40 tons and of 5 tons. What is the object of the Committee in introducing into the new Rule vessels of 40 and of 5 tons? I will therefore be much pleased to be informed.

Captain Donner (Germany).—Mr. President, the meaning of the Committee was to let the law stand as far as possible as it is now under Article 10. But we were obliged to extend this law with regard to small vessels a little further. There is now an arrangement made only for open boats and for fishing-vessels of less than 20 tons. That was not sufficient because it did not cover the large class of small vessels which were not open boats or fishing-vessels; and, therefore, it was not thought necessary to arrange special lights for small craft which are not generally seagoing vessels.

Now, these Articles have to apply to all small craft, and we have been obliged to arrange not only for fishing-vessels, but for all vessels. When we came to the law for small steamers we were obliged to make a special law for them, because it is obviously impossible for small steamers to carry the masthead-lights 20 feet high. There are a good many small steam craft which could in no possible way carry the lantern, and it would be quite useless to make them carry a lantern of such a size. Therefore we are trying to find a limit. We have thought that in our experience 40 tons would be the proper limit for steamers, because a steamer must be a good deal larger than a sailing-vessel before she is able to carry the same lights, or before she is able to carry the masthead-lights 20 feet high. Now, the lowest limit given is 5 tons gross tonnage. That is because we have in the Baltic and in other parts of the world a sort of small trawling-vessel, which formerly did not come under the head of a trawling-vessel, because by trawling, in the sense of the Article, is meant the dragging of an apparatus along the bottom of the sea by any vessel in motion. We saw that it was not possible to put these vessels under the obligation of carrying a fixed masthead-light and of burning a pyrotechnic light. We, therefore, resolved to fix a certain limit to include these small craft, and this limit was placed at 5 tons, because we thought it would be a reasonable limit. All the members of the Committee agreed to that.

Captain Richard (France).—Mr. President, I have obtained the satisfaction which I desired. I now know what is meant by vessels of 20 tons, of 40 tons, and of 5 tons. I venture to say that I think that you have introduced into your Rule something which is not desirable. You have demonstrated that 5 tons and 40 tons have been selected in a somewhat arbitrary manner, simply because in the Baltic you have types of vessels which have such a tonnage. But it is evident that the Law must be liberally construed in order to allow every vessel to be covered by it. In the beginning of the Report you declared that the Law should be applicable to the entire world. You do not consider what a 40-ton vessel might be in Japan, or in China, or elsewhere. When you make International Rules, do you not think that when you make distinctions of 5 tons and of 40 tons, you will be obliged to make distinctions as to 10, 15, 20, 25, and 45 tons, and still further? You have allowed yourselves to approach a dangerous slide. You make a special Law for a 40-ton vessel because she cannot carry her white light 20 feet above her deck. Who ever expected a 40-ton vessel to carry a white light 20 feet above her deck when she has no mast?

The Rule should be taken in its spirit, and not in its letter, and if you will specify every case, the Rules of the Road will fill volumes instead of a few pages.

Mr. Goodrich (United States).—Mr. President, there is a verbal alteration to which I want to call the attention of the Committee. In the third line of subdivision (*d*) the word "carry" is used in regard to the white light—"shall carry the white light in lanterns." I think that it ought to read as follows: "shall carry the white light in a lantern so constructed as to show a clear and unbroken light all round the horizon, and also *provide* a sufficient supply of red pyrotechnic lights." Otherwise, the word "carry" would govern the words "a sufficient supply of pyrotechnic lights." I would also suggest that in the third line from the bottom the words "white lights shall be shown from sunset to sunrise" should be struck out, because that is provided for in the second Article of the Regulations as we have adopted them. If, however, the Conference thinks that these words should be retained, then the word "showed" should be changed into "carried."

I therefore move, if the Conference is ready for the two corrections in one motion, to add the word "provide" in the fourth line of the paragraph after the words "and also," and to strike out the words "shall be shown from sunset to sunrise."

The question upon the two amendments proposed by the Delegate from the United States was put to the Conference, and the amendments were carried.

The President.—The question is now upon paragraph (*d*), Article —.

The question was put to the Conference upon paragragh (*d*), Article —, and it was adopted.

The President.—The next subject for consideration will be paragraph (*e*), Article —. The Secretary will please read it.

"Sailing-vessels of less than 5 tons gross tonnage engaged in trawling having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall not be obliged to carry the white light mentioned in section (*d*) of this Article, but if they do not carry such light, they shall have at hand a lantern showing a bright white light, and shall, on approaching to or being approached by another vessel, exhibit it where it can best be seen in sufficient time to prevent collision; and instead of showing a red pyrotechnic light, they may show a flare-up light."

The question was put to the Conference on the adoption of paragraph (*e*), Article —, and it was adopted.

The President.—Paragraph (*f*), Article —, will now be read.

Said paragraph (*f*), Article —, is as follows:—

"(*f.*) All vessels and boats when employed in line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels when engaged in fishing with drift-nets."

The question upon the adoption of paragraph (*f*), Article —, was put to the Conference, and it was adopted.

The President.—The next subject for consideration is paragraph (*g*), Article —. The Secretary will please read it.

Paragraph (*g*) of Article — is as follows:—

"(*g.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor."

The question as to the adoption of paragraph (*g*), Article —, was put to the Conference, and it was adopted.

The President.—The next subject for consideration is paragraph (*h*), Article —. The Secretary will please read it.

Paragraph (*h*), Article —, is as follows:—

"(*h.*) Fishing-vessels and boats may at any time use a flare-up, in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the afterpart of the vessel, excepting that, if the vessel is hanging by the stem to her fishing gear, the flare-up lights shall be exhibited from the bow."

The question was put to the Conference upon the adoption of paragraph (*h*), Article —, and it was adopted.

The President.—Paragraph (*i*), Article —, will now be read.

Paragraph (*i*), Article —, is as follows:—

"(*i.*) Every fishing-vessel and every boat, when at anchor between sunset and sunrise, shall exhibit a white light visible all round the horizon at a distance of at least 1 mile."

Mr. Hall (Great Britain).—There is no amendment to that.

The President.—That closes the consideration of the Report of the Committee on Lights for Small Craft.

Mr. Hall (Great Britain).—Mr. President, there was one amendment with regard to fishing-vessels which was handed in this morning, which I find, upon making inquiry, is merely the actual practice of fishermen. If so, the members of the Conference might allow it to be considered now.

It is the amendment of the learned Delegate from Germany. I am told, from all the advice that we have had, that it is the usual practice of fishermen. If so, perhaps the Conference might allow it to be taken up without having it printed. It is the amendment which was handed in by the learned Delegate from Germany. The amendment will be read. The amendment is as follows:—

"Vessels engaged in trawling, when under way, and all other vessels, shall keep out of the way of vessels and boats engaged in fishing with drift-nets or in line-fishing with their lines out and attached to their lines, and of the nets of such vessels and boats.

"All vessels under way, other than vessels and boats engaged in fishing with drift-nets, or in line-fishing with their lines out and attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling."

Mr. Hall (Great Britain).—This would be paragraph (*k*).

The President.—The amendment will be read again for the information of the Conference.

"Vessels engaged in trawling, when under way, and all other vessels, shall keep out of the way of vessels and boats engaged in fishing with drift-nets, or in line-fishing with their lines out and attached to their lines, and of the nets of such vessels and boats.

"All vessels under way, other than vessels and boats engaged in fishing with drift-nets, or in line-fishing with their lines out and attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling.

Mr. Verbrugghe (Belgium).—Mr. President, I think that we ought to have some chance to consider this question. It is a very important one.

The President.—If the Delegate does not wish to have it considered now it will be printed and laid over.

Mr. Hall (Great Britain).—I will not suggest for a moment, if there is the slightest objection, to take it up now. If any Delegate thinks that it requires consideration, by all means let it stand over. It appears to me to be a very simple amendment, and, I am informed, that it is the present custom among fishermen. But if there is objection I will not press the consideration for a moment.

Mr. Verbrugghe (Belgium).—Mr. President, I know very well that it has been the practice to require trawlers to keep out of the way of drift-net-vessels; but there is something more now. I do not think that we ought to be willing to put any further restrictions of this kind upon the trawler. I wish very much to have time to consider this amendment.

The President.—If the Delegate wishes it to be printed, the discussion will be postponed.

Dr. Sieveking (Germany).—Mr. President, we are now about to adjourn for a few days, and before the adjournment I would like to move a Resolution, which I hope will meet with very hearty support on the part of the members who are here present. Before we shall meet again we shall be deprived of the assistance, and the very valuable assistance, of one of the most able and distinguished members of the Conference. Mr. Thomas Gray, I am sorry to say, is about to leave us in a very few days. Now, Sir, with your permission, I would like to propose a vote of thanks by the Conference for the very valuable assistance which he has rendered us. I need not say a great many words in support of this. I may only say two things. He has given us a very striking example of what a man ought to do who wants to render service to his country; because, notwithstanding the number of his years and the somewhat delicate state of his health, he has, without hesitating a moment, crossed the ocean to try and do his duty towards his country by promoting the work which we have undertaken here.

The second remark which I should like to make is this: He has given us another example still. He has never tried to put himself forward, and notwithstanding he has been one of the most distinguished and ablest members of this Conference, he has shown us how it is possible to unite the greatest ability with the greatest modesty. I beg to propose a Resolution that the thanks of this Conference be voted to Mr. Thomas Gray for the very valuable services which he has rendered to the Conference by the assistance which he has given us.

Mr. Goodrich (United States).—Mr. President, on behalf of the Delegation from the United States, I desire very heartily and warmly to second this Resolution. Those of us who have been studying this subject have grown up with Thomas Gray's book in our hand. It has been to us a sort of primary book of education on the subjects which we have been thus far discussing in this Conference. I feel myself that the Conference has had a sense of security in the presence of Mr. Thomas Gray, that the proper Rules would not be transcended, and that no Rule would be passed by the Conference which was not consonant with the Rules already in force, and with the proper practice of navigation. I think that we have deferred to his judgment, because I believe he is years the senior of all present, and he has, as I understand, for forty years been giving his entire time, thought, and attention to this great subject.

The Resolution was put to the Conference, and unanimously adopted.

Mr. Goodrich (United States).—Mr. President, I move that, when the Conference adjourns, that it will adjourn until to-morrow morning. If the Conference will meet at 10 o'clock to-morrow morning, we probably can finish our work in half-an-hour; because, as I understand it, all that there is left is the proposition of the learned Delegate from Germany, and the Resolutions proposed by the gallant Delegate from Russia, on behalf of the Committee on Lights, of the 11th November, 1889. I am sorry that the gallant Admiral from Russia is not here. I hardly know what plan he desires to pursue with regard to the Resolutions. I move that, when we adjourn, we adjourn until 10 o'clock to-morrow morning.

Captain Richard (France).—Mr. President, I ask the Conference to reject the motion of the honourable Mr. Goodrich. The work of the Conference is going on so rapidly that we have no time

to consider anything. The Conference cannot terminate its work until the Committees shall have finished theirs.

The other day, the Committee to which I have the honour to belong resolved to ask the Conference to sit only in the morning from 11 to 1 o'clock, and to leave the afternoon to Committee work. For the sake of harmony the motion was not made. We were told: "Wait until next week—next week will give us time to work in the Committees." Now I see that, for "next week," which has elapsed, we have been assigned a double amount of work. I do not complain about the work, but if we were given a little rest the Committee would be benefited by it, and I also think that the Conference would be benefited by it.

I therefore ask that we have a little rest in the sessions of the Conference—a rest which is all the more necessary as Saturday is often devoted to Committee work, and we have no time to study anything.

I therefore ask that Wednesday be given up to Committee work, according to the Rule adopted by the Conference.

Mr. Goodrich (United States).—Mr. President, let me suggest that the Committees which are called to meet at 10 o'clock to-morrow morning can meet at 11 o'clock.

Mr. Hall (Great Britain).—Mr. President, may I point out to the gallant Delegate from France that probably if we meet at 10 o'clock in the morning for an hour we shall be able to devote the whole of the rest of the morning to Committee work. If we do that we shall then have everything perfectly ready for work. Our Collocation Committee will be in a condition to go ahead with the subject, and we shall be in a position to submit on Monday at the outside our Report practically settled. We shall then be able to go over the Rules at the beginning of next week and settle them. Then we will be able to deal with the Reports of the Committees on the other Divisions.

Mr. Carter (Hawaii).—Mr. President, it will then be understood that the Committees which are called for 10 o'clock to-morrow morning will defer their meeting until 12.

The President.—Does the Delegate from France withdraw his amendment?

Captain Richard (France).—Certainly, Mr. President. I accept the motion made by our learned colleague of Great Britain.

The President.—The question is upon the motion of the Delegate of the United States that when the Conference adjourns it adjourns until to-morrow morning at 10 o'clock.

The question was put to the Conference, and the motion carried.

The Conference thereupon adjourned until Wednesday, the 20th November, 1889, at 10 o'clock A.M.

Washington, Wednesday, November 20, 1889, 10 *o'clock* A.M.

THE Conference was called to order at 10 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The order of business this morning is extra amendment No. 53.

Mr. Hall (Great Britain).—Mr. President, that amendment has been referred to the Sound-Signal Committee, who are going to give us a Report on the signals to be made by small vessels.

The President.—Extra amendment No. 54 is next in order. The Secretary will please read it.

The amendment is as follows:—

"(*k.*) Vessels engaged in trawling when under weigh, and all other vessels, shall keep out of the way of vessels and boats engaged in fishing with drift-nets or in line-fishing with their lines out and attached to their lines, and of the nets of such vessels and boats.

"All vessels under weigh, other than vessels and boats engaged in fishing with drift-nets or in line-fishing with their lines out and attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling."

Mr. Verbrugghe (Belgium).—Mr. President, let me ask the serious attention of the Conference to the results of this amendment if it be adopted. I desire to state the condition in which the trawlers are at present. In 1882 a Convention was held at the Hague between the Powers bordering on the North Sea. By this Convention a very heavy burden is put on the trawlers. They are obliged to keep out of the way of the boats with drift-nets, and if they run into these drift-nets, whatever may be the cause, they are held to be responsible, and are obliged to demonstrate that they are not in fault. This is very strange and singular. Everybody will see that this is not an ordinary Rule.

There is a second burden, and a very heavy one, which, by this amendment, would again be put upon the trawlers. It is not only for boats fishing with drift-nets, but also for boats fishing with all kinds of lines. Really it would be far better to say there shall be no more trawlers, for I cannot see where they will find a place to carry on their business. The so-called amendment is not an amendment, but a new Rule of the Road, which was proposed at the very last moment. I wish to call the attention of the Conference to one thing which has been observed all through our work, namely, that the principle has stood, whatever proposals have been made. More than one amendment has been rejected for the purpose of not touching the principle. The principle is this, that a vessel which is free, or more free than another one, ought to get out of the way of the one which is less free. Now, will the Conference decide which of the fishing-vessels is most free? The trawler has a heavy net with heavy iron hooks on the spars, and this net is dragged along the bottom. Now and then the nets get caught on the rugosity of the bottom, and the vessels cannot move. That this is a fact I am sure nobody at this table will deny.

Now, the Conference will have to decide if this vessel is in a better position than the one which

only carries lines. I believe the very fact of putting the question will give an answer in favour of the trawler. I should like to know what is meant by fishing-lines? There are so many kinds of fishing-lines, of every description, that we should go into detail if we adopt this amendment; because, if we do not do so, every small boat with only one line astern will command the right of way over a whole fleet of trawlers. You can see what consequences will arise from the amendment. But this proposition goes further. They are now not only required to get out of the way of this boat, but out of the way of the nets. This is a very serious consequence. I cannot insist too strongly upon the consequences of the insertion of these words. What is the case now? Drift-net fishing-vessels have their nets out, and, of course, they must protect them, and not extend them any further than the range of their lights; but if you accept this amendment they will put them anywhere. They will say, "You must not touch my nets, for I have the right to put them down wherever I like." If that is true, I have a right to say you ought to have lights upon the nets, because it is not reasonable to expect any one to keep out of the way of something which one cannot see; and now that the same protection is to be given to the lines, there will be no more room for the trawlers.

If this amendment is carried, I really do not see how there will be any protection for any trawler fishing in the North Sea. As I say, this matter which has been brought before the Conference is something very serious. It is something peculiar to the North Sea, because I do not know of any other sea in which trawling, drift-net fishing, and line-fishing are carried on together, This case is so important that I regret that I have not the means which other learned gentlemen of this Conference possess. But as I have not the means at my command, I must take the lessons which have been taught by them in this Conference, and use the same arguments under the same circumstances.

It has been said more than once when a new Article was proposed, "Is there any complaint? have we any data to debate upon?" So I also say I do not know of any complaint, and I have never heard that there was any difficulty between the trawling fishers and the line fishers. Is there any necessity for bringing in this Rule? Have we any data to present to this Conference or any available information upon this matter which will aid us to decide it?

This Rule does state that a vessel which is not a fishing-vessel ought to get out of the way of a fishing-vessel. I do not believe there is any doubt in the mind of any man amongst us as to that; but this amendment goes further, and says that the trawler must keep out of the way of line fishers of all kinds. You will see, if this amendment were carried, into what trouble we would get. I have pointed out the necessity of going into the details as to what sort of line-fishing is meant. It is always difficult and dangerous to bring in a Rule for which no necessity has been demonstrated. I repeat again that we have had no complaint in regard to this matter, and we have no data before the Conference upon which we can base our judgment. I alluded a moment ago to the learned Delegates, and the means which they have at their command to assist them before the Conference; I will say that in many cases they are supported by a brilliant staff of naval officers who bring to the support of their arguments their experience and the authority of their high rank and talent. But I may say here that, if I have not such aid, I am supported by thousands and thousands of fishermen; and their cause, I believe, is well worth the consideration and care of this Conference. If this amendment is carried, it will inflict upon them a great hardship. Everyone who goes to sea knows what hardships a fisherman already sustains. If we now extend this same privilege to line-fishing, there will be no means for the trawlers to carry on their business.

Captain Mensing (Germany).—Mr. President, I beg to point out to the honourable Delegate from Belgium that this is not an amendment, but that it is a new Article. It was impossible to propose this new Article before the evidence had come in from the Committee on Lights for Small Craft; therefore I think it was not quite right to state that we have brought this Article here at the last hour. We have thought of it all along, but it has not been proposed because the evidence was not before us. Of course, we had to know how the different classes of vessels engaged in fishing should be distinguished one from the other. We had expected that there would be, and we found that there was, a distinction made between them on principle, and the moment we had the written evidence before us, we had no doubt whatever how to act. The honourable Delegate from Belgium has stated that there was no necessity for this Article, and that, in the name of thousands and thousands of fishermen, he wanted to protest against it. I was not present at the Hague, but, so far as I have been told, I know there is nothing embodied in this Article which has not been accepted by the Government so ably represented here.

Mr. Verbrugghe (Belgium).—Mr. President, may I interrupt for a moment to say that there never was a question at the Hague about trawlers being obliged to get out of the way of all line-fishing vessels.

Captain Mensing (Germany).—Mr. President, if the honourable Delegate from Belgium had only stated that he was against this proposition that the trawlers should get out of the way of line-fishing-vessels, it would have been the easiest thing, and I do not think there would have been any difficulty whatever to come to an understanding. The line fishers are laying their lines out from all the islands in the North Sea. They are generally in territorial waters, and anchor their lines, which are a mile or two miles long, and then they lay off out there. These lines are valuable to them; sometimes we have found, ships would go there and take up these lines and carry them off. These people then had no redress whatever. In consequence, there has been a ship stationed there. A ship is stationed there every year to take up any trawlers and bring them before the proper Court for interference with the lines. This, I think, shows very conclusively that there is a need for such a Rule.

The honourable Delegate from Belgium says that there would be no room for trawlers if we adopted the amendment. I can assure him that these lines, so far as I am aware, are laid in shallow water of about 6 or 8 fathoms. As I said before, I believe line-fishing goes on mostly in territorial waters. I think we could get along very well without the paragraph alluding to trawlers in this

proposition. There seems to be some misunderstanding. The honourable Delegate from Belgium seems to think that we hold it right for the drift-net fisher or line fisher to drop his nets in the open sea without leaving any mark or attaching any buoy or sign to it and then to expect others to get out of the way. We do nothing of the sort. I think that if the gentleman who spoke before me will be kind enough to look through the wording of this text he will find that it is very different from the meaning which he has given it. It says:—

"Vessels engaged in trawling when under way, and all other vessels, shall keep out of the way of vessels and boats engaged in fishing with drift-nets or in line-fishing with their lines out and attached to their lines and of the nets of such vessels and boats."

I see, myself, that the meaning of this expression is not quite clear. When drift-net fishers have put out their nets, which are sometimes a half-a-mile long, they represent all the wealth which these men own in the world. They put out the nets always to leeward, and the ships keep out of the way. So far as I know, this rule actually exists in the North Sea, or at least that is the information given to me by my learned colleague. As I said before, we do not attach any great importance to the provision relating to line fishers. I, at least, would be quite willing to leave that out altogether.

The honourable Delegate has spoken of the hardships that have been put by this Article upon the trawling-vessels. We thought we were taking hardships off of them. We were trying to relieve them as far as we could. We are providing that the trawler shall go out of the way of drift-net fishers, and that other vessels which are on the sea shall go out of the way of these sailing-trawlers. I think it is a perfectly natural consequence which has to be accepted; and as this proposition has worked well in the North Sea for a good many years, I do not see any reason why it should not be adopted.

Dr. Sieveking (Germany).—Mr. President, may I add a word to what has just been said? So far as I know there was a Convention sitting at the Hague in May 1882. The proceedings of this Convention have been ratified by all of the North Sea Maritime Powers. The XIXth Article has the following wording; I am reading it from the French before me: "1. Article XIX. Lorsque des pêcheurs au chalut se trouvent en vue de pêcheurs aux filets dérivants ou à la ligne de fond, ils doivent prendre les mesures nécessaires pour éviter tout préjudice à ces derniers; en cas de dommage la responsabilité encourue incombe aux chalutiers à moins qu'ils ne prouvent soit un cas de force majeure, soit que la perte subie ne provient pas de leur faute.

"Lorsque des pêcheurs au chalut se trouvent en vue de pêcheurs *aux filets dérivants ou à la ligne de fond, ils doivent prendre les mesures nécessaires pour éviter tout préjudice à ces derniers.*"

That is the very principle which we have followed in offering our amendment. We have only tried to make it a little easier for the trawler. In this Article you will see that it has been said—and this Article has been agreed to by all the North Sea Powers—that the trawlers, when in sight of vessels engaged in fishing with drift-nets or line-fishing, have to keep out of the way of the latter.

This principle is extended so far that if a collision occurs between the trawlers and the drift-net fishers or line fishers the *primâ facie* responsibility is to rest upon the trawler. The trawler has the burden of proof upon him to show that there has not been negligence on his part in any way contributing to the collision. This latter provision, which is very strong against the trawler, has been left out in this International Rule. We have only said that vessels "engaged in trawling under way, and all other vessels"—of course, because they are less hampered and hindered than the trawlers—"are to keep out of the way of the line fishers." So there is nothing to hinder this amendment. It is to be an International Rule in place of this Article XIX, signed at The Hague. In the 2nd section we say that "all vessels under way, other than vessels and boats engaged in fishing with drift-nets or in line-fishing with their lines out and attached to their lines, shall keep out of the way of vessels engaged in trawling." That provision, I dare say, will not in any way be opposed by the honourable Delegate from Belgium. So, in fact, I do not see how this proposal can in any way affect them to their detriment, because trawlers are now subjected to more stringent Rules than we propose here.

Mr. Hall (Great Britain).—Mr. President, when I moved yesterday afternoon that we should take up the consideration of this amendment before that session ended, I confess that it was under the supposition that this was merely putting into words what was the uniform practice among fishermen. I did not suppose that there would be any opposition to it. It is a matter upon which I have no personal knowledge myself, but I was told that this was practically the custom in the North Sea. I wish to say that we certainly do not wish to pass this unless it is approved by the Conference and by the Powers who are mostly interested in it. Now, it has been pointed out that this is the law with regard to fishing-vessels which ply in the North Sea and which have been provided for by the Hague Convention.

I do not see any necessity whatever for framing an amendment and putting a clause in the International Rules. If this is a law in the North Sea at the present time, let it remain so. We, of course, cannot prevent it; if so, is it necessary for us to introduce a clause in the Rule, when it is clear there is very great opposition to such a course, certainly by the learned Representative of a Power which is interested in the matter? Having regard to the fact that the Hague Convention, to which the North Sea Powers were parties, has dealt with this principle, I do not myself see the necessity for amending this Rule.

Mr. Verbrugghe (Belgium).—Mr. President, I thank the honourable Mr. Hall for the remark which he has just now made and which will enable us to come to some satisfactory conclusion. I only want to correct one thing, for there is some misunderstanding as to this matter. The Convention of the Hague in all its Articles does not say a word about all-line fishing as a general rule, but speaks of ground lines alone. I regret very much that the learned Delegate, Dr. Sieveking, was not here when I rose to speak just now at the opening of the Conference. I said that all through the Rules, adopted by that Convention, a heavy burden is put upon the trawler. The honourable Delegate from

Germany confirmed what I said when he stated that the burden was upon them to show that they were not responsible for damage. It will be the same case with regard to line-fishing, for there are different kinds of line-fishing, and often they stretch out to a very great extent.

I will try to correct a statement which was made by the gallant Delegate from Germany, Captain Mensing, that line-fishing was only carried on in shallow waters and in territorial waters. If that be the case, I see no reason why the Conference should interfere. But it is not so; it is carried on over immense zones in the North Sea. The cod fisheries and the herring fisheries are carried on almost on the same spot, because one fish eats the other. The different kind of fishermen go to nearly the same spot. As I said before, if the trawler is to get out of the way of the drift-net fishing-vessel and is, as proposed by this amendment, to get out of the way of all the line fishing-vessels, there will be no more room for the trawler. The learned Delegate from Great Britain has said very properly that a Convention of all the Maritime Powers bordering on the North Sea have already adopted some Regulations in regard to this matter and made some stipulation about it. Why does the Conference interfere with them, when they apply to almost all local waters which are only frequented by the fishermen of those nations? Let them settle that between themselves. I quite agree with what the learned Delegate from Great Britain says, and I suggest that this proposition for a new Rule be withdrawn; then the Powers will be quite at liberty, if they judge proper to make some change, and every Power will be ably represented. They will fight out their own battles.

Captain Bisbee (China).—Mr. President, I beg to point out to the members of the Conference that if the subsection of this proposed Rule should be passed, it would open the way for fishermen to stretch their nets across narrow channels so as to obstruct navigation. In a great many places on the coast of China they are already disposed to do this, and such a Rule would encourage them and give them the right to do it.

Mr. Verbrugghe (Belgium).—Mr. President, it was said that these nets were only half-a-mile. The case is this: The nets every day get longer and longer. The extension of these nets is covered by the lights of the fishermen at night; during the day some buoys mark them, as the gallant Delegate from Germany remarked. But during the night if they extend them, as they certainly will if these words are inserted in the Rule, then the nets by themselves will have to be avoided. There will be no limit to their right to extend them. There is a limit now, and that limit is that it is not proper for them to extend the nets further than the range of the light. If this is adopted as it is proposed here, they will go to any extent. However, I have no more fear of that, because the gallant Delegate from Germany has said that he has no objection to withdrawing that part of his amendment.

Mr. Hall (Great Britain).—Mr. President, there was one further matter, pointed out to me by my gallant friend on my right, which I think I should bring to the notice of the Conference. This is really an Article providing for fishing-vessels and to prevent damage to nets and lines. It is in no sense a Rule for preventing collisions at sea. If we once embark upon considering such provisions as this, I do not quite see where we are to stop. I confess that this did not strike me at first, but it has been pointed out to me, and I think the criticism is a perfectly just one. This is a proposal to insert, under the Rules for Preventing Collisions at Sea, a provision to prevent damage to nets and lines. It may be a hypercriticism, but this is certainly putting a new phase to the question, and I do not know whether the Conference would think it desirable that we should decide here what ought to be done to prevent damage by one fishing-vessel to another, whether to her nets or to her lines.

Dr. Sieveking (Germany).—Mr. President, if I correctly understand what has been said by the honourable Delegate from Belgium, he thinks there is nothing in the Convention signed at the Hague concerning line fishers. I have read the Article, and it refers to line fishers.

Mr. Verbrugghe (Belgium).—Mr. President, these line fisheries are carried on by vessels which are at anchor, and it is very proper that other vessels should go out of the way.

Dr. Sieveking (Germany).—Mr. President, there is no such distinction made here.

Mr. Verbrugghe (Belgium).—It is the very distinction that was made in our Committee. You will see in the Report of the Committee on Lights that it has been dealt with, and also what sort of fisheries is meant. Those are ground fisheries.

Dr. Sieveking (Germany).—I beg your pardon. The Article reads: "When trawling vessels are in sight of drift-net vessels or line-fishing vessels, they must take the necessary measures to avoid all injury to the latter." There is no distinction made there as to line fishers at anchor. It simply refers to line fishers. If it had referred simply to line fishers at anchor or drift-net fishers at anchor, it would not have been necessary to establish such a principle.

It has further been objected that words are inserted in this amendment "of the nets of such vessels and boats;" and it is for the reason that these words would be meant to say that, even if not attached to their boats, they were to be avoided. Of course, the wording ought to be quite clear, by saying the nets attached to such vessels and boats. It may be said that this would go further than Rules generally do. I do not think that is a decisive argument, because, in fact, what is attached to the boat is in a certain sense a part of the boat, just as what is attached to a tug is part of a tug. So the nets attached to such vessels and boats ought to have the same privilege as the boats themselves. They, in fact, form a part of the boat. It is merely to caution the trawlers that they are not to keep so close to the drift-nets of fishing boats or line-fishing boats as to do damage.

Now, it is said that this Rule is not necessary, because it is in accordance with what is really established by the Hague Convention. That is quite true for the North Sea and for the first paragraph, but it is not true for the second paragraph. And it is even not quite true for the first paragraph, because the first paragraph does not refer only to trawlers and drift-nets and line-fishing vessels, but also to all other fishing-vessels. The second paragraph contains a Rule that all vessels under weigh are to keep out of the way of the trawlers. We think, and I believe we are quite correct in thinking, that the Rules would be imperfect, that there would be an omission, if no proviso were made for these cases. The Committee on Lights for Small Craft have tried to make Rules so as to

embrace the whole department of small craft and fishing-boats. They have established a principle as to the lights. We must follow that out, and if we are to give complete Rules we must give Rules which embrace also the steering and sailing Rules for such vessels.

If we do not say anything about it, what would be the consequence? Generally speaking, the steering and sailing Rules would apply. Then the trawlers, and the line fishers, and the drift-net fishers under sail would be subjected to the general Rule, to the general steering and sailing Rules. The consequence of this would be that, wherever there are no special Regulations, as there are in the North Sea, according to the general Rules, trawlers would have to keep out of the way of other sailing-vessels, in case the conditions apply which are mentioned in Article 14. So line fishers and drift-net fishers also would then be in a good deal worse position than this amendment proposes to place them. This is really an advantage given to the trawlers and drift-net and line fishers, and it is merely completing the Rules. In fact, I do not see any reason for objecting to this. It clearly intends to favour the trawlers and fishing-boats which are hampered by their nets and dragging apparatus. If we do not say anything about it, they must keep out of the way, and we would give Rules which are not only incomplete, but which are wrong in themselves. I think that, instead of opposing this amendment, the Powers which have agreed to the Hague Convention should, on the contrary, adopt the principle, and welcome it as an extension of the principle of the Rules which they have already agreed to.

Mr. Verbrugghe (Belgium).—Mr. President, the learned Delegate from Germany has just stated something in regard to the advantages given to the trawlers. I really cannot see any advantage. The only one is that, as she is a fishing-boat, any other vessel will get out of her way. That has always been the case; so there is no advantage for her over any other fisherman. There is a Rule which has never been printed, but has always been carried out by every ship, to get out of the way of a fisherman when that fisherman is in action; and nobody ever thought of the necessity of having such a Rule any more than to have a Rule saying that she must get out of the way of a vessel at anchor. I really see no advantage. We are doing now, under the general Rules adopted by this Conference, what has been done in the Convention. In the Convention one party must submit to the majority, but you must give the minority the rights of redress.

If you insert this Rule you will remove that right of redress. I can see no necessity for this amendment. There has never been any complaint. The fishermen agree very well with each other. I do not know of any difficulty, and am curious to hear of any which has arisen between the fishermen with lines and the fishermen with trawls. But there will be trouble if you lay this Rule down. The fisherman with lines will say, "I have the right to the road, and you have got to get out of the way." There is the danger, and why should we bring in that danger? I have the greatest respect for the honourable Delegate from Germany. He explains the necessity of this Rule for the purpose of preventing any further mistake. Has he any data about that? I say that I am opposed to it because I do not see any necessity for it. In addition to that, it puts upon the trawler, to a greater extent, a very great disadvantage. It says, in the Articles of the Convention at the Hague, ground fishing-lines. Whatever may be the result, I propose that we should vote upon this amendment if the honourable Delegate is not inclined to withdraw it.

Dr. Sieveking (Germany).—Mr. President, allow me a few remarks only. I think, from what has been said by the honourable Delegate from Belgium, that he is not satisfied with what has been established in the Hague Convention. I will not dispute with him upon that point. I merely stated as a fact, and I have read several times this Article, that this principle is established. He says: "Why make a Rule that all vessels are to keep out of the way of every fisherman; that has been the rule from olden times, and it has always been followed!" But if we pass the Rules as they stand now, we do not sanction that principle, but we sanction a contrary principle. We make the Rule embrace all vessels, and consequently fishing-vessels. If we make a Rule that sailing-vessels are to keep out of the way of one another under certain conditions, then the Rule implies, as laid down by us, that trawlers also and line fishers are to keep out of the way of other sailing-vessels under certain circumstances, as Article 14 prescribes.

I think it cannot be disputed that, whether this practice may have been observed or not of vessels to keep out of the way of sailing-vessels, that in the future it will not be observed, but the very contrary will be the law. Therefore, I am sure that if the honourable Delegate from Belgium only reads carefully the amendment, he will see that the advantage will be very great for the trawlers, and that this advantage will be taken away from them by the Rule. Of course, it could not be taken away from them so far as the Hague Convention protects them; but the Hague Convention protects them in a very limited way. The Hague Convention does not say anything about the duty of other vessels to keep out of the way of trawlers. It imposes upon trawlers the duty of keeping out of the way of line fishers and drift-net fishers. That is quite clear. So, the trawlers, if this amendment were not passed, would be in a much worse condition than they are now, and the very contrary effect of what the honourable Delegate from Belgium intends to obtain would be the result.

Mr. Verbrugghe (Belgium).—Mr. President, I really regret very much that I have to state that I do not so understand the amendment. The amendment says:—

"All vessels under way, other than vessels and boats engaged in fishing with drift-nets, or in line-fishing with their lines out and attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling."

There are only two ways of fishing in the North Sea—with lines and with nets. Then the only advantage which the trawler has is that other vessels are to get out of her way. I do not see the advantage. It is only putting down as a Rule what has always been the practice. I must say that I do not see any advantage for the trawler

Dr. Sieveking (Germany).—There are not other fishing-vessels, but, I am sure, there are other vessels, sailing-vessels, and those sailing-vessels are embraced in this amendment.

Mr. Verbrugghe (Belgium).—But that is the practice now.

Dr. Sieveking (Germany).—Mr. President, I grant it to be the practice now, but I think it will not be disputed that it will not be the law in the future. It would be the law to the contrary. We would say, by Article 14, that a trawler had to keep out of the way of certain other sailing-vessels. If it has been the practice heretofore, the practice will be abolished, and the law be against it. Therefore it is necessary, and to the great interest of the trawler, to put in such an amendment. In fact, I do not know how it can possibly be explained clearer. This second section says:—

"Every vessel under way, other than vessels and boats engaged in fishing with drift-nets, or in line-fishing with their nets out or attached to their lines, shall keep out of the way of sailing-vessels engaged in trawling."

Mr. Verbrugghe says that only sanctions what has been the practice, and if it has been the practice, why lay it down as a Rule? If it is not laid down as a Rule, the very contrary is sanctioned by Article 14. Therefore, on behalf of the trawler, it must be said that other vessels are to keep out of her way. The words "all other vessels" must be put in, because if these words were not put in, the Rule as it stands now, laid down by Article 14, would lead to the consequence that drift-net fishing-vessels and line-fishing vessels, because they are sailing-vessels, must keep out of the way of other sailing-vessels under the conditions of Article 14. Mr. Verbrugghe will be very far from wishing such a duty imposed upon them. There seems one thing besides which is mentioned, and that is the principle that, vessels engaged in trawling, when under way, shall always keep out of the way of drift-nets and line fishers. That is a principle which may perhaps be objected to on behalf of the trawlers, but it is a principle which has been established by the Convention of the Hague, and therefore there is nothing contrary to the now prevailing practice; it simply confirms the practice, and avoids the consequences which otherwise would be the necessary consequences of our Rule, and would sanction something which is to the contrary of the practice.

Admiral Nares (Great Britain).—Mr. President, may I say a few words as a seaman? This amendment provides that all vessels, other than vessels and boats engaged in fishing, shall keep out of the way of sailing-vessels engaged in trawling. It is a mistake, I think, to suppose that a trawler is not under command. She is just as easily managed as any other sailing-ship. She can go about or she can keep her way under the stern of another vessel. If this amendment is passed, the consequence will be as follows: Suppose a trawler on the port tack and a sailing-ship on the starboard tack, the trawler by the old Rule has to give way; she must either go about or pass under the stern of the sailing-ship, and she can readily do so. If this amendment is passed, a sailing-ship on the starboard tack has to fling over the Rule of the Road and pass under the stern, and give way to a trawler on the port tack.

Mr. Verbrugghe (Belgium).—Mr. President, I regret that I cannot agree with what has been stated by the honourable Sir George Nares. When the Rules of 1863 were made, a trawler was considered to be stationary. I regret very much that I am unable to quote the decisions by English Judges to the effect that a trawler, on account of his special business and on account of his net dragging on the ground and becoming fastened now and then, was not to be considered under command as a general rule; and that she was a boat which very properly all other vessels avoided. I believe that the practice at sea is not to consider so much on which tack a fishing-vessel is, but that every other ship tries to get out of her way. It has been stated in the English Courts that other vessels ought to be careful about trawlers, for the reason that a trawler cannot keep her course. She is heading in a certain way and by-and-by she falls off, because now and then her nets get fastened to the bottom and holds her for a moment, and then she shakes her sails and is off her course.

It is not a question whether the trawler is a vessel under command or not; but whether she has duties to perform, and whether she has not some immunities which she has the right to on account of being a fishing-vessel. I understand very well what the honourable Delegate from Germany has stated. But I do not wish the Conference to adopt such a Rule as this, because I do not see any necessity for it. It has been said very properly that there is a Convention of the Maritime Powers of the North Sea. Let them change the Rule, if they think it proper. They know every detail of the matter, and I may state, without injustice to the respect due to every one of the honourable Delegates present, that the Conference have not sufficient information in regard to the matter to decide upon it.

Dr. Sieveking (Germany).—Mr. President, the discussion, I think, has shown what will be the consequences of this amendment not being passed. The honourable Delegate from Belgium appears, if I may say so, to desire to protect the trawlers. He says, and I think he is quite right so far as I could judge of it—he says the trawlers are hampered and other vessels must keep out of the way. The gallant Delegate from Great Britain has pointed out that that would be a hardship upon other vessels. He says, no, the trawlers must keep out of their way, that there is no reason for the trawler not keeping out of the way. So it is quite obvious that by not making a law on this subject the consequence will be that the trawler will be subjected to the general Rule, and if, when on the port tack, she meets a sailing-vessel on the starboard tack, she will have to keep out of the way. I do not think that would suit the intention of the honourable Delegate from Belgium, whose obvious aim and intention is to protect the trawlers. He has raised an opposition to this amendment which leads to the consequences that the protection is withdrawn from the trawlers which it is intended to give by this amendment.

I am told, and that is the reason we have framed the Rule in this way, that it is the custom now for all vessels to keep out of the way of trawlers; so that we only sanction what is the custom, if not the law. If we do not sanction this, we would sanction the contrary by our Rules. Is not that plain?

I do not think it would be the intention of the honourable Delegate to do that. I must very strongly point out to the Conference that there can be no doubt what would be the consequence. If the honourable Delegate from Belgium is opposed to having line fishers included with the drift-net fishers, we could leave that out and only include the drift-net fishers.

Captain Mensing (Germany).—Mr. President, I would like to thank Mr. Verbrugghe for pointing out to me that there is a mistake about the line fishers. As I said before, I could not go into these details. But the point I wish to make is that the principle which we propose is one which has been fully carried out, and that what we have brought in in this new Article has been in practice and has been sanctioned by a Treaty which was concluded seven years ago. I think there can be no mistake upon the point that we have simply worded the stipulation of a Treaty which has been in practice for seven years. Mr. Verbrugghe, the honourable Delegate from Belgium, has pointed out several times that he did not know of any complaint made in all that time.

If this Treaty has been in force for seven years, and is a Treaty to which Belgium, the Netherlands, Denmark, Great Britain, and Germany have adhered—if there have been no complaints in all that time, I should say that it must be a most excellent Treaty and that it would be good to adopt it. Therefore I believe we ought to do so, if only for the one reason that ships which come in from the Baltic and pass through, meeting fishing-vessels on the high seas, would know exactly what to do and how to behave. At present, as has been pointed out by the distinguished Delegate from Great Britain and the distinguished Delegate from Germany, there is great doubt. However, it was indicated that all those ships, whether sailing-ships or steam-ships, were int he habit of getting out of the way of trawlers.

I think there is something new in this Article, for it provides for steam-trawlers. Sailing-vessels certainly have not to get out of the way of steam-trawlers. The learned Delegate from Belgium has pointed out that it is the custom to get out of the way of fishing-vessels. A steam-trawler is a fishing-vessel so far as I can see. Then what is a ship to do which is going to meet a steam-trawler? Everybody must know that a sailing-vessel is not to be expected to get out of the way of a steam-trawler. I think that for all the purposes of safe navigation, wherever there is a doubt expressed, it should be made explicit in the Rules; and there have been doubts expressed here by the honourable Delegate from Belgium and the gallant Delegate from Great Britain. Their opinions are quite in conflict with each other. One gentleman says that every ship keeps out of the way of a fishing sailing-vessel, and the other gentleman says there is no such law, and that the trawler is to keep out of the way of other vessels. I therefore certainly think there should be a Rule made to do away with these doubts.

Mr. Verbrugghe (Belgium).—Mr. President, I will not take up the attention of the Conference any longer, as I believe the question has been thoroughly discussed. May I be allowed to make one remark to the Conference? The learned Delegate seems to be at a loss to know whether the trawler has to get out of the way of the other vessels or whether the other vessels have to get out of the way of the trawlers. If the opinion of the honourable Delegate from Great Britain prevails, there is no reason to give the trawler a distinctive light. Let her keep the side-lights. The Admiralty of Great Britain has taken the initiative in giving them a private signal. What was it for? Because they are vessels not under ordinary circumstances, but under extraordinary circumstances. I must deduce from these premises that it is the rule that fishing-vessels and trawlers shall be cared for by other vessels.

There is one other observation I wish to make with reference to the statement made by the gallant Delegate from Germany who spoke just now. He said that this works very well and that there is no complaint about it. Very well; then why should we change it? Suppose, for instance, that this Conference has adopted Articles, and that no one has a chance to expect that his complaint will ever be heard, would it be proper to say we shall keep it, because we have heard no complaint about it; that it works very well? Is that any reason why we should not have a chance to go again into Convention and bring about, if we possibly can, some changes? Speaking on my own account and not on account of my Government, I should like to have some means to change this Article adopted by the Convention of the Hague; and if you pass this amendment we will be in a worse condition in that regard than we are at present.

Dr. Sieveking (Germany).—Mr. President, perhaps I may be allowed to propose that the decision of this amendment be postponed until our next meeting. I might say that this is a matter of very great importance, and I am sure that the learned Delegate from Belgium at this very moment does not have in view the consequences which would arise if this amendment is not passed, or something similar to it.

Of course I do not like to make a proposal which in any way detains the work of the Conference, but I am sure if I can have only half-an-hour to talk the matter over with Mr. Verbrugghe we would quite agree with each other, because, in fact, our intention and the intention of this amendment are only to meet his views. If he opposes this, I am sure I will succeed in bringing about some wording with which he will be satisfied, perhaps by just a little change in the phrascology. You see, this amendment was only handed in yesterday, and it was only in print for a few moments before the meeting of the Conference. I think the matter is of too much importance to be settled at once, after an hour's discussion, and no time having been given to the members to get at the bottom of it. I should like very much to have it postponed. I think it will not take too much of the time of the Conference. I should like very much to have an opportunity of talking over the matter with Mr. Verbrugghe, who is particularly concerned in this amendment, and either he will convince me or I will convince him. Then I think the matter could be resolved upon with greater correctness.

Mr. Verbrugghe (Belgium).—Mr. President, I am quite at the disposal of the Conference. Whatever they decide to do, I have no objection.

Captain Richard (France).—Mr. President, I have no objection that the amendment presented by the honourable Dr. Sieveking be taken into consideration; but we are just now about to make a law which is very important to most of the Contracting Powers of the Hague Convention, and I

think that it would be well to consider that question with all the attention which it deserves. I have reason to believe that in the discussion which has taken place on the subject of small craft and fishing-vessels we were a little too hasty. There are many things to be considered in the propositions of the Committee on Small Craft and Fishing-vessels which were adopted yesterday; and it seems to me absolutely necessary that the Conference should demand a second reading of those Articles. Although I know that I transgress the Rules heretofore made, that Articles which have once been adopted are irrevocably adopted, and that they cannot be taken up again, I think that it would be very important to reopen the discussion, and to discuss once more the Articles which were adopted yesterday. I therefore ask that the amendments of Dr. Sieveking be considered, but that no vote be taken upon them until after the discussion has taken place upon the second reading of the Rules proposed by the Committee.

The President.—The question is upon the motion of the Delegate from Germany to postpone the further consideration of this amendment to a future meeting of the Conference.

The question was put upon the motion, and it was carried.

Captain Shackford (United States).—Mr. President, if I understand, the gallant Delegate from France proposes to have a second reading of the 7th, 9th, and 10th Articles. I should like to second that motion.

The President.—The Delegate from France proposes a second reading of the Report on Lights for Small Vessels, which the Conference had under consideration yesterday.

Captain Richard (France).—Mr. President, I ask for a second reading, not in to-day's session, but in the next one. To-day we have no time. I think that these Articles require our careful reflection, for they are entirely new Rules, which require a great deal of attention.

Admiral Bowden-Smith (Great Britain).—Mr. President, before this Resolution is put to a vote I wish to ask the Conference to allow me to say a few words on the question. I took the great responsibility yesterday of acting quite on my own behalf in regard to the Report of the Committee on Lights for Small Craft, and I desire to interpose an objection to the adoption of them—as it is expressed by the gallant Delegate from France—*en bloc*. I would ask the Conference to remember that we are all sitting here around the table, very comfortable in dry clothes, some of these gentlemen never having been to sea at all, and a great many who will never go to sea again, and we are legislating for people who are living the hardest lives in the world; and yet, Sir, we passed all of these Articles yesterday afternoon in less than two hours, and you must remember that they have never been before the Conference.

Whenever amendments were proposed to the Conference they were put on one side, and it was said they will be considered by the Committee on Lights for Small Craft. I certainly thought that, after we had the Report before us we should have time to consider it, and that they would be discussed like other Articles in these Rules. I may say that I was quite astonished when the learned Delegate from the United States proposed that they should be carried as they then stood, and that motion was seconded here. I was so astonished that, although I had some notes on the question, I could take no notice of it myself; for, of course, I am not going to oppose a question nor oppose Resolutions if I cannot vote upon them. I do most heartily indorse the proposition which the gallant Delegate from France has made.

Mr. Hall (Great Britain).—Mr. President, I think it is very desirable, if any of the Delegates think any Rule requires further consideration, that the Rule should be considered, especially if it be a new Rule. But I confess that I am not able to see that any fault whatever should be found with the way in which the proceedings were conducted yesterday. What was done was this: Each proposal was taken up, sentence by sentence, from the Report of the Committee. I think that the majority of us felt that this was a matter especially to be left to the Committee. Each paragraph was taken up, and, before being submitted to a vote, was open to amendment from any Delegate here. The sole reason why they were carried was that no amendments were proposed, or at least but very few, and those were dealt with. It was perfectly open to any Delegate to do what he had a right to do—to propose an amendment, or suggest doubts as to whether the Rules were advisable. It was perfectly open for any one to do that, and I assumed that when amendments were not proposed, that the Delegates considered the Report of the Committee such a satisfactory one that it was better to adopt it. But whatever we do, let us be in a position to go away satisfied that the suggestions of everyone have been considered. Let us not for one moment, even because we have passed a Rule, decline to consider anything else.

I quite agree that, as these are new Rules, they are worthy of very great consideration, and if any proposals or amendments can be made to them, I hope they will be considered. What I venture to say is, that the proper time for that would be on the second reading of the Rules, which, I presume, will be taken at the beginning of next week. That will give the Delegates ample time, and we should then be able to consider any proposals which may be presented. Of course, I should deprecate very much any proposals to alter the Rules which have been discussed at very great length, and which have been dealt with, and as to which a Resolution has been carried by the Conference. But with regard to these new Rules, I certainly think it desirable to agree to the proposal of the gallant Delegate from France. I would only suggest whether that should not be done upon the second reading of the Rule.

Lieutenant Beaugency (Chile).—Mr. President, let me point out that the Conference yesterday in the afternoon approved some Rules prescribing lights, and in the morning the Conference declared that they were dangerous. I refer to the red rocket.

Captain Richard (France).—Mr. President, I specially pointed out when first I made my proposition that it was somewhat a departure from the rules generally adopted in deliberative bodies. It must be said in our defence that we are not all well posted on Parliamentary proceedings, and we cannot be very much blamed for a desire to reopen decisions which were, perhaps, a little hastily made; and if we have committed an error, would it not be better to frankly admit it without false

pride, and endeavour to remedy it? I want to have it understood, however, that my proposition is not an attack either upon the Committee on Small Craft and Fishing-Vessels, or upon its work. On the contrary, I am anxious to show the highest deference to the eminent men of which it is composed, and to the important, thoughtful, and practical work which they have submitted to us. But we are here under most peculiar circumstances. Up to the present time the Committees have worked by examining a well-known text, and have simply given us their opinion without prescribing Rules; whereas now the Committee offer us a complete set of Rules, most carefully worded, which we must adopt or reject. Consequently, a discussion will give satisfaction to the Conference.

Admiral Nares (Great Britain).—Mr. President, may I point out that there is a mistake in saying that the Conference rejected one light in the morning and adopted a similar light in the afternoon? The red rocket which the Conference threw out is a totally different article from the red pyrotechnic light which has been carried by all our fishing-boats in the North Sea for six or eight years.

The President.—The question is upon the proposition of the Delegate from France to reconsider the Report of the Committee on Lights for Small Craft.

Captain Richard (France).—Yes, Mr. President, in a second reading, and to consider as null and void what was done yesterday.

The President.—The proposal is that the Report should be read a second time, at some future time.

The question upon the motion of the Delegate from France was put to the Conference, and carried.

The President.—The next business in order will be the resolution proposed by the Delegate from Russia on behalf of the Committee on Lights. It is now before the Conference.

Mr. Goodrich (United States).—Mr. President, the gallant Admiral who was Chairman of the Committee from whose Report these Resolutions were taken, as the Conference know, is detained at his house by illness. While it might be well to comply with the suggestions contained in this Resolution, criticism is made upon the sixth paragraph, namely, "That the colour of the glasses by which the colour of the lights is to be produced be so chosen that the lights retain their distinctive colour even in a fog." I move that these Resolutions, except the sixth, be referred to the Committee on Collocation in accordance with the final paragraph of this proposal, which is that they are to be inserted in a note to the Rules and not in the text of the Rules themselves.

Captain Malmberg (Sweden).—Mr. President, if I understood rightly yesterday, the Conference was to meet here to-day to discuss Article 10 and nothing more. After Article 10 is discussed I think the Conference ought to adjourn and give the Committees time to meet.

Captain Sampson (United States).—Mr. President, I would ask leave to add a word in support of what has just been said. This day has been set aside for Committee meetings and the hour has been changed for those meetings. The object which we had in view in continuing the meeting this morning seems to be frustrated by the action of the Conference with regard to the Report of the Committee on Lights for Small Craft; so that I do not see that we have anything to gain by continuing the sitting of the Conference at this time. I therefore move that we adjourn.

The President.—It is moved that the Conference do now adjourn.

Mr. Goodrich (United States).—Mr. President, I am going to move an amendment to the motion of the gallant Delegate from the United States. I move that when we adjourn we adjourn until Monday morning. That will give the Committees ample time to get through, to a great extent, with their work, and will enable most of them, perhaps, to finish. The Committee on Collocation can meet at once. Before we finally conclude to adjourn I am sure that the gentlemen would be glad to have the Chairman announce the hours for meeting.

The President.—Does the Delegate from the United States accept the amendment?

Captain Sampson (United States).—Yes, Sir.

Mr. Verney (Siam).—Mr. President, before we adjourn may I asked whether the Rules as now amended may be printed and put into the hands of the Conference, so that we may all of us be in a position to see them as they are now adopted?

Mr. Goodrich (United States).—Mr. President, I suggest to the Delegate from Siam that before that course is taken the Rules should pass through the Collocation Committee, in order that any verbal corrections may be made. The Collocation Committee will, in a very short time, be able to complete their work. Before the adjournment I desire to state that the Collocation Committee will kindly meet in my room at the Arlington immediately after the Conference adjourns.

Mr. Carter (Hawaii).—Mr. President, I would like to announce that the Committee on General Divisions VII and VIII will be kind enough to meet at once upon the adjournment.

Captain Sampson (United States).—Mr. President, I would like to ask the Committee on Divisions II, IV, and VI to meet immediately upon the adjournment.

Captain Mensing (Germany).—Mr. President, I would like to ask Committee No. 3 to meet, immediately after the adjournment, at the Committee room.

Mr. Kimball (United States).—Mr. President, I would like to request the Committee on Division V to meet immediately after the adjournment.

The Conference was thereupon adjourned until Monday, the 25th November, at 11 o'clock A.M.

Washington, Monday, November 25, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear-Admiral Franklin in the Chair.

The President.—The first order of business this morning will be the additional Report of the Committee on Sound-Signals, if the Chairman of that Committee is ready to make the Report.

Admiral Nares (Great Britain).—Mr. President, in the additional Report of the Committee on Sound-Signals there are one or two minor alterations, and if the Delegates will follow me I will point them out. On p. 5, Article 12 (*g*), on the third line, it says: "Sound on the whistle, siren, or fog-horn four blasts sounded in pairs." That should read, "four *short* blasts sounded in pairs." Also, in Article 12 (*b*), we should have put in a change that we propose to the Conference, to consider under Article 12 (*c*); as to whether in the signals given by sailing-ships for the starboard and the port tacks, and when running free, the term "short" should be introduced before each of the signals. We propose that in future it should be "one short blast," "two short blasts," and "three short blasts."

Mr. Goodrich (United States).—Will you kindly repeat that? I did not quite get it.

Admiral Nares (Great Britain).—It is quite immaterial. We allude to it on the pages before that, and we recommend it; but we have not, after recommending it, actually reworded the Article, as we have done on the other recommendations, in order that the Conference may refer to it readily. It is quite immaterial; but if all of our recommendations are carried out, we ought to have introduced after Article 12 (*b*), Article 12 (*c*), reworded in agreement with our recommendations. It would have read then, in Article 12 (*c*), instead of "one blast on the starboard tack, and two blasts for the port tack, and three blasts for a free wind," "one short blast, two short blasts, three short blasts." We argue in the first part of our Report the reason why we propose the change, and the change is only to follow out our argument in the previous pages.

Dr. Sieveking (Germany).—Mr. President, I beg leave to hand in an amendment, in lieu of an amendment which we discussed at our last meeting. I have had an opportunity, as I mentioned then, of having a conversation with Mr. Verbrugghe, the honourable Delegate from Belgium. I will hand in the amendment now, which I think will meet the views of the Delegates. I beg to hand it in for printing and to have it laid before the Conference.

The President.—The Secretary will please read the amendment for the information of the Conference.

The amendment is as follows:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing, provided that, in daytime, such vessels or boats indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

The President.—The amendment will be printed for future consideration.

Captain Hubert (the Netherlands).—Mr. President, allow me to offer an amendment as an addition to Article 10 and Article —, which have been treated by the Committee on Lights for Small Craft and Fishing-Boats. In our Colonies we have many fishing-boats which cannot possibly carry lights or sound-signals. We have now adopted sound-signals which shall be used during heavy rain-storms, and which will require all of these small fishing-boats in our Colonies to carry an efficient sound-signal. These boats are only about 10 or 12 feet long, and are barely wide enough for one full-grown person to sit in. I believe it is impossible for them to have these lanterns and fog-horns in the boat, so that they can be used when it is raining or in the night-time.

The President.—The Secretary will please read the amendment.

The amendment is as follows:—

"It is understood that Article 10 and Article — do not apply to regions where their enforcement would prove too difficult in consequence of local conditions. Any Government making these exceptions for its vessels will inform other seafaring nations of the same."

The President.—The amendment will be printed.

Mr. Goodrich (United States).—Mr. President, it seems desirable that the Conference should understand at what time the several Committees will be able to present their Reports, in order that we may approximately fix the duration of the sessions of the Conference. I suggest, therefore, that the Secretary call, in order, the several Committees which have not reported upon the various Divisions of the Programme, and that the Chairmen of the several Committees be requested to respond as to the time when their Reports will be presented to the Conference.

The President.—The question now is upon the motion of the Delegate from the United States.

The question upon the motion of the Delegate from the United States was put to the Conference, and carried.

The President.—The Secretary will now read the Committees.

The Secretary.—The Committee on Life-Saving Systems and Devices.

Mr. Kimball (United States).—Mr. President, I am not able to say when the Committee will be able to report. I do not think it possible, in view of the importance of the subjects to be considered, for us to get through before a week from next Thursday. We have but two Committee days on which we can work.

Mr. Goodrich (United States).—Mr. President, perhaps it would be advisable, for the information of the several Committees, to call attention to the work to be done in the sittings of the Conference. I take the liberty to say that we have before us to-day Articles 7, 9, and 10 for reconsideration, or what may be termed a second reading; after that is the additional Report of the Sound-Signal Committee; then there are several amendments which have already been in print, including the one offered

by the Delegate from the United States; then there are Resolutions from the Delegate from Russia, as Chairman of the Committee on Lights. It seems to me that we ought to finish the discussion of these, except the Sound-Signal Report, to-day. If to-morrow could be devoted to the discussion of the Report of the Committee on Sound-Signals, we ought to be able to finish the work before the Conference by to-morrow night. In the meantime, the several Committees might be meeting in the afternoon if we complete any single day's session in the morning. The whole day Wednesday could be given by the several Committees to their Reports, and, perhaps, also the balance of the week. Of course, I am throwing out this as a suggestion rather tentatively; but it does seem to me that during to-day and to-morrow the Conference ought to discharge its duty of discussion on the amendments already in. I make no motion on the subject. I only throw out this suggestion for the guidance of the several Chairmen in making their Reports to the Conference.

Mr. Hall (Great Britain).—Mr. President, I think the suggestion which has been thrown out by the learned Delegate of the United States is one well worthy of our adoption, because, I think, as he points out, that if we take the matters which are before us to-day, and leave the Sound-Signal Report until to-morrow, we ought to be able to get through not only with these Reports, but also to deal with one or two amendments which still remain undisposed of. There is one handed in by the learned Delegate from Germany this morning with regard to fishing-vessels, which we can take up to-morrow. It will be really a complement to the Report which we hope to adopt to-day. If we are able to do that I think it very possible that we may get through with our work by mid-day to-morrow, or in the afternoon to-morrow, at any rate. If so, the Chairman of the Committee who has just addressed us will see that he will have practically the whole of this week, after to-morrow, for sessions of the Committee. If that be the case, he may be able to give us this Report at an earlier date than at present he thinks possible. I am aware that Thursday is Thanksgiving Day, but that will leave Friday and Saturday for the sessions of the Committee.

Mr. Kimball (United States).—Mr. President, I have found that the members of our Committee, and I imagine the same may be said of some of the other members of the Conference generally, are not disposed to give up their Saturdays, which is the only time they have for recreation and looking around. If the Conference should adjourn to-morrow at noon, I think we might possibly be able to get through with our work, so as to present the Report on Monday. At any rate we will do the best we can.

Captain Mensing (Germany).—Mr. President, as Chairman of Committee No. 3, I would like to remark that we have before us four General Divisions, numbered IX, X, XI, and XII.

The President.—The Delegate from Germany will be kind enough to wait until his turn comes in the regular call of Committees.

Captain Mensing (Germany).—Mr. President, I thought the discussion had become rather of a general character.

The Secretary.—The next Committee is that on the subject of the Uniform Load Mark.

Dr. Sieveking (Germany).—Mr. President, I think I may say that the Report of this Committee will be in hand on Friday.

The Secretary.—The next Committees are those on the General Divisions of the Programme, as follows: Committee No. 1.

Captain Settembrini (Italy).—Mr. President, in the absence of the Chairman, Captain Sampson, I may say that the Report of our Committee could be ready on Monday.

The Secretary.—The next Committee is Committee No. 2, to consider and report upon General Divisions Nos. VII and VIII.

Mr. Carter (Hawaii).—Mr. President, I think that our Committee will be ready to report by Tuesday of next week.

The Secretary.—Committee No. 3, to report upon General Divisions IX, X, XI, and XII of the Programme.

Captain Mensing (Germany).—Mr. President, the work with regard to General Division No. IX, we have been unable to take up, because we were waiting for Mr. Scott to arrive. I have heard this morning that Mr. Scott is not coming, and, therefore, I cannot tell what time this General Division will require. I do not believe, however, that General Division No. IX will give rise to a long discussion, and that it may be disposed of in a few hours. For the drafting of the Report, I think that one working day would be the least that we would require. Under General Division No. X there have been no proposals made. We had to decide whether or not in the absence of any positive propositions we should decide this matter or let it go. It was a question whether we should go to work and prepare propositions to lay before the Conference for adoption. We have made considerable progress, and I think one working day will finish the discussion. The Report will have to be written afterwards and approved. General Division No. XI is rather an extensive one. It is with regard to the exchange of opinion regarding dangers to navigation between the different countries of the world. I believe that this matter should not be lightly treated, and that due time should be given to its consideration. We have considered and passed paragraph (*a*) of General Division XI. There remains General Division No. XII, treating of the proposed international buoys. I am unable to say how long this will take.

In regard to the work of this Committee, I should like to say that it seems to me that we ought to be instructed by the Conference whether this work should be done quickly or whether proper time should be given to its discussion. For my own part, I would be very sorry to stay here over Christmas, but I would rather see the work finished in such a manner that when we go home we shall be able to lay it before our Governments fully satisfied with the work which has been done. I have no doubt that it will be possible to do the work thoroughly before the 1st January, which I suppose is the ultimate limit of this Conference. My belief is that we shall be able to finish the Report on all the General Divisions about Christmas, taking into consideration the days that will be taken up by holidays, &c. It will take about a fortnight before all these different Divisions can be satisfactorily gone through with

and laid before the Conference. I, of course, allow, in my calculation, for the time that will be taken up for general discussion and for days when no work will be done, according to the Regulations of the Conference, and for holidays which will come in the meantime.

Mr. Goodrich (United States).—Mr. President, I still do not quite get from the learned Delegate from Germany the day when he can make his Report. I will state that his remarks are with regard to the final ending of the matter. Would it be possible for the Committee to make Reports on any of the subdivisions by next Mondays ?

Captain Mensing (Germany).—I believe it would be possible on one, but I cannot give any definite opinion about it until I have consulted with the Committee.

The Secretary.—Committee No. 4, to consider and report upon General Division No. XIII of the Programme.

Mr. Hall (Great Britain).—Mr. Chairman, I think we shall be able to make our Report on General Division No. XIII not later than Monday next.

The Secretary.—The Committee on Collocation.

Mr. Goodrich (United States).—Mr. President, I believe that if the Conference follow out the line indicated in my previous remarks, and end the public work on Tuesday night, the Committee on Collocation will be ready to report on Monday. Of course, our work depends on the work of this Conference.

Now, Mr. President, it appears, as nearly as I can get at it, that, with the exception of Committee No. 3, the various Committees will be ready to report by Tuesday. I suppose the Conference would like some little time to consider these Reports before acting upon them. I am now feeling my way a little, being in something of a fog, to see whether I shall make a proposal to adjourn for two weeks from to-morrow. That will give the Committees ample time to report and present their Reports to the various members of the Conference. There is no use of our wasting our time here in holding sessions of the Conference from day to day when the Committees desire an opportunity to finish their labours. I am making no motion at all. I only wish to hear some expression of opinion on the subject from the Conference.

Mr. Hall (Great Britain).—Mr. President, I quite agree with the gallant Delegate from Germany that it is most desirable that we should not conclude our labours without having thoroughly considered all the matters before us, and without reporting upon the whole of those matters. I certainly think that if we are to do our work at all we had better do it thoroughly. I can certainly say, on behalf of my colleagues, and for myself, that we shall not be influenced by the anticipation which the gallant Delegate from Germany has pointed out in regard to Christmas. If it is necessary that we be here on Christmas, so be it, we shall bow to the inevitable. We shall certainly not consider our personal convenience in the matter. We think these are matters of very great importance, and that they ought not to be hurried at all for such ephemeral reasons as have been referred to by the gallant Delegate from Germany.

Perhaps I may take this opportunity to say that it is not the fact that the English Delegates have made arrangements to go home at any fixed date, as I see stated in some of the newspapers. We have done nothing of the kind. We do not mean to leave for England until we know that we have done our work and until we feel that we have done it thoroughly. We shall be glad to render all the assistance we can towards giving a satisfactory Report to the Conference upon all the matters in question; but at the same time there is no doubt that there are one or two matters on the Programme which any one who has looked at it carefully must see can be dealt with in a short time. There are some matters which are put down for discussion which, it will be obvious, cannot at present form the basis of an international agreement. There are matters upon which opinions can be exchanged between the Maritime Powers, and such matters will, no doubt, be dealt with in the Report.

I am one of those who hope that this is the precursor of other Maritime Conferences, and if our Report results in having the good effect which we believe and hope it will have, I have no doubt that this will be the first of a series of International Maritime Conferences. I will only point out that we ought to consider, if possible, only such work and such matters as the Conference can recommend as a basis for international action, and not waste our time in considering undigested matter and material, unless we can propose some international agreement or a basis for international action, because, otherwise, we shall be kept here uselessly for weeks, if not for months, merely for the purpose of playing the part of a debating society, and not an International Conference.

Mr. Goodrich (United States).—Mr. President, I will suggest now that, either at the close of the session to-day or some time to-morrow, I will move that when the Conference adjourn on Wednesday next, it adjourn for a week from the following Monday. I merely make this suggestion because it will give ample time for the Committees to make up their Reports. I make this suggestion in order that the members may discuss it among themselves.

Captain Richard (France).—Mr. President, if I have thoroughly understood the discussion which has taken place, the learned Delegate of the United States proposes to hasten the Committees as much as possible to present their Reports. We are all agreed that although the operations of the Conference should be carried on with the greatest speed, the quality of their work should not suffer thereby. Consequently, I think that it is entirely needless to ask the Committees to make any declarations whatsoever, because it is to their interest and their desire to present the fruit of their work as soon as they can. In a certain Committee the Report is far from being ready, and to answer when it will be presented is not convenient.

On the other hand, inasmuch as we are all anxious to hasten our work, I would like to know whether it is so very necessary for the Conference to adjourn immediately. Upon a prior occasion I proposed to the Conference to sit in the morning, and to devote the afternoon to Committee work. I feel convinced that if this proposition had been adopted the labour of the Committees would to-day have been terminated.

I now propose to the Conference to have at least one session a-day, because we have work ready

for discussion. We have the Report on Sound-Signals, we have amendments to discuss, we have the Report on Small Craft. We therefore have plenty of work for to-morrow.

I therefore propose that the Conference sit without any adjournment until Thursday, but not on that day, inasmuch as it is a national holiday.

Mr. Carter (Hawaii).—Mr. President, may I suggest to the learned Delegate from the United States that if we adjourn for eleven days the Reports of the Committees, which will be ready next Monday, will not find their way to the various members of the Conference, unless some provision is made for their being printed and being sent to them. They will not then have time to examine and digest the Reports before the next appointed meeting.

Mr. Goodrich (United States).—Mr. President, I might state to the learned Delegate from Hawaii that this was the very object of one of my suggestions. May I ask the Chairman of any Committee whether it will be able to report before Monday?

Dr. Sieveking (Germany).—I have already mentioned that our Report will be ready on Friday.

Mr. Goodrich (United States).—Is there any other Committee whose Report will be ready before Monday?

Mr. Hall (Great Britain).—Mr. President, we can report on General Division No. XIII on Thursday.

Mr. Carter (Hawaii).—Mr. President, I think the Report of our Committee on General Division No. VII might be ready by Friday. I hardly think we shall be ready with our Report on Division No. VIII.

The President.—The Chair thinks it desirable that the entire Report of a Committee should be made at one time, and not that the Committee should report in part.

Mr. Hall (Great Britain).—Mr. President, may I point out that, in case the Reports of the Committees are handed in during this week, they certainly could be discussed by the Conference at the beginning of next week. If that be so, would it not be well to adjourn until next Monday, and then on Monday or Tuesday we can deal with the Reports which have been sent in. That will leave us the rest of the week for finishing the Reports of the other Committees. I am certain that the feeling is that, although we should not hurry through our work, we ought to do it with all possible dispatch, so as not to waste time.

The President.—The only motion before the Conference now is that of the Delegate from France, that the Conference sit until Friday in its usual way.

Mr. Hall (Great Britain).—Mr. President, may I propose that we sit to-day and to-morrow and finish the work which is before us, and then adjourn until Monday next?

The President.—Will the Delegate from France accept that proposition?

Captain Richard (France).—Yes, Mr. President.

Mr. Goodrich (United States).—Mr. President, if the learned Delegate from Great Britain will allow me, I would suggest that we had better suspend that motion till to-morrow. We might find that we shall want to sit on Wednesday in order to finish our work. I should therefore suggest that the motion be suspended for the present.

Mr. Hall (Great Britain).—Mr. President, I quite see the force of the observation of the learned Delegate from the United States, and I will therefore postpone making any definite proposal until we can see to-morrow what the business before the Conference is.

Mr. Goodrich (United States).—Mr. President, may I suggest that we proceed with the consideration of the Report of the Committee on Lights for Small Craft, which refers to Articles 7, 9, and 10, laid over until this morning.

The President.—If there be no objection, the Secretary will please read Article 7.

Mr. Goodrich (United States).—Mr. President, I suggest, to expedite business, that it will be well to inquire whether any Delegate has any suggestions to make, or any amendment to make, to Article 7, as it was originally adopted. If not there is no use in the Secretary reading it again.

The President.—It had better be read for the information of the Conference. The Secretary will please read it.

Article 7 is as follows:—

"Article 7. Whenever, as in the case of small vessels under way during bad weather, the green and red lights cannot be fixed, these lights shall be kept at hand, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side, nor if practicable more than two points abaft the beam on their respective sides.

"To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens."

Captain Settembrini (Italy).—Mr. President, I desire to submit an amendment to Article 10, subsection (*d*), to the Conference.

The President.—It will be read for the information of the Conference and printed.

"Article 10 (*d*). All sailing-vessels of 5 tons gross tonnage and upwards engaging in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to the rock or other obstruction, shall carry from sunset to sunrise a white light in a lantern so constructed as to show a clear and unbroken light all around the horizon."

Mr. Goodrich (United States).—Mr. President, I move that the amendment be not only printed, but that it be referred at once to the Committee on Lights for Small Craft for their opinion in regard to it.

Captain Settembrini (Italy).—Mr. President, I think that it will be a loss of time to refer this amendment to the Committee on Lights for Small Craft. I would prefer that the amendment be discussed by the Conference.

Mr. Goodrich (United States).—Mr. President, I would suggest to the gallant Delegate from Italy that it was not the intention to postpone a discussion, but the idea was that we might, when we discussed it in Conference, have the advantage of a Report from the Committee upon the matter. The Committee might be requested to report upon it to-morrow morning or immediately.

Mr. Hall (Great Britain).—Mr. President, may I suggest to the learned Delegate from the United States that inasmuch as we shall reach this paragraph to-day, he had perhaps better defer his motion till we see whether or not the amendment is sufficiently complicated to require it to be referred to a Committee at all. Then, if it is a matter about which there is any doubt, it would be a very good proposal to ask the Committee to give us advice in the matter; but if we shall find that it is a matter which we can discuss and dispose of in a short time, it may be considered that it is not necessary for us to refer it to a Committee.

Mr. Goodrich (United States).—Mr. President, I accept the proposition of the learned Delegate from Great Britain, and suspend the motion.

The President.—The question is upon Article 7. Is the Conference ready for the question?

Mr. Verney (Siam).—Mr. President, may I make one remark upon this Article 7, which is a mere question, I venture to think, for the Collocation Committee? It would seem that by a preliminary note a great deal of verbiage might be entirely avoided in all of these Articles. The preliminary note would be as follows:—

"No side-light shall ever be carried, or shown, or flashed, so that the red light shall be seen on the starboard side, or the green light on the port side."

If this is taken as a preliminary note to all of the Articles which follow I think we shall get rid of a great deal of extra verbiage.

Mr. Goodrich (United States).—If the learned Delegate will send that to the Collocation Committee we will give it the attention it properly deserves.

The President.—The question is upon the adoption of Article 7.

The question upon the adoption of Article 7 was put to the Conference, and carried.

The President.—In Article 8 there appears to be no alteration.

The Secretary will now read Article 9, paragraph (*a*).

"Article 9 (*a*). A pilot-vessel, *whether under sail or steam*, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel, such pilot-vessel shall have at hand two lights, one red and one green, so constructed that they can be flashed instantaneously, which shall be kept either in their places, screened, or on deck on their respective sides of the vessel, always ready for use, and shall flash one of them (in order to show the direction in which she is heading) in sufficient time to prevent collision, so that the red light shall only be shown on the port side, and the green light only on the starboard side."

Mr. Goodrich (United States).—Mr. President, at the request of Captain Shackford I desire to make a suggestion here. It was suggested on the first reading of this Article that, as it stands, it requires the addition of other lights than those which are really intended by the Article. The addition of a word or two will make the Rule clear in regard to the intention. I am aware that subdivision (*c*) says that a pilot-vessel when not engaged on her station shall carry lights similar to those of other vessels; but there seems to be a little inconsistency in the first division of Article 9 in the use of the word "carry" in the second line. I suggest to the Delegates either for discussion now, or for reference to the Collocation Committee, these amendments: Strike out the word "carry" and insert the word "show," so that it will read "a pilot-vessel, whether under steam or sail, when engaged on her station on pilotage duty shall *show* the lights," &c.

Then, in the second italicized line of paragraph (*a*), to add the words "which may be the side-lights," at the end of the line, so that it will read:—

"When approaching a vessel to put a pilot on board, or when there is risk of a collision with another vessel, that the pilot-vessel shall have at hand two lights, which may be the side-lights, &c."

If the Conference has no objection I will move those amendments now, subject to the opinion of the Collocation Committee as to the propriety of the wording, which of course would naturally follow without any motion. I suggest, therefore, the use of the word "show" instead of the word "carry," and to add to the end of the second line of the second paragraph the words "which may be the side-lights." I move that as an amendment.

Mr. Flood (Norway).—Mr. President, I take the liberty to suggest that the words "or on deck on the respective sides of the vessel" should be struck out, and that we should have here the same expression used in Article 7, that they shall be "kept at hand, ready for use." I think that on pilot-boats there may be occasions when it is not always practicable to keep these lights on deck, but there may be a companionway or some other handy place where the lights can be kept ready for use. I think that would be satisfactory, and it would also be more in conformity with Article 7.

The President.—Will the Delegate be kind enough to state his proposition?

Mr. Flood (Norway).—Mr. President, I propose to strike out the words "on deck on the respective sides of the vessel," and instead of them to make it read, "have them ready for use." I may mention

in connection with this that we have some very large boats, upwards of 100 tons, open boats without any deck at all. There we could not keep the lights on deck, because there is no deck.

The President.—The question is upon the amendment of the Delegate of the United States. The amendment will be read for the information of the Conference.

The amendment is as follows:—

In Article 9, in the second line, strike out the word "carry" and insert the word "show."

In the second line of the second paragraph of Article 9, paragraph (*a*), after the word "light" insert the words "which may be the side-lights," so that it will read:—

"When approaching a vessel to put a pilot on board, or when there is risk of collision with another vessel that the pilot-vessel shall have at hand two lights, which may be the side-lights," &c.

Captain Richard (France).—Mr. President, Article 9 which is submitted to us is of certain importance, not on account of its many details, but from a general standpoint. In the new Rules which have been proposed there has been suppressed what was in the old Rules, viz., a Regulation for special lights in a certain part of the world—which is a rather limited part, inasmuch as it extends north of Cape Finisterre. If we refer to the text of the Rules of the Road of the various countries here represented, as they have been collocated by the Committee presided over by the learned Dr. Sieveking, we will find in regard to Article 10 that there is a great difference in its wording in the various editions. Some countries—among others France—have adopted the Rules formulated by Great Britain in 1884; others have more particularly adhered to the Rules formulated in 1880. And those are sufficiently important to consider, because the majority of nations, such as Austria-Hungary, Italy, Denmark, &c., have adopted for their fishing-vessels a system of lights which is nearly the same or exactly the same as that for pilot-boats. Chile and Germany have both adopted for their fishing-vessels what we now propose for pilot-boats. I see the same thing in various countries which I will not now take the time to name. It is absolutely necessary at present to take that fact into account, and it is important to see whether it would not be well to make a distinction between the pilot-boats and the fishing-boats of the countries here represented. If the Conference think that it must be so in order to avoid a possible confusion which on some occasion may have dangerous results—the confusion between a fishing-boat and a pilot-boat may expose a vessel looking out for a pilot-boat to the danger of running aground,

The Conference must decide upon this question of principle: Is it important, in general, to distinguish a pilot-boat from a fishing-boat? Must the white light be given to fishermen all over the world exactly as it is given in the North Sea to trawling-vessels and in the Mediterranean to fishing-vessels? This is an important question which I would like to have light thrown upon. If it be so, and we all agree to give to pilot-boats a special system of lights, the whole Rule will be remodelled. I will now speak about the details of Article 9.

In the first line the Committee said: "Whether under sail or steam." This seems to me unnecessary, because it has always been understood until now that the denomination of "pilot-boat" applied to pilot-vessels of every class, whether they were steam- or sailing-vessels.

On the other hand, it seems to me that the Committee have endeavoured to establish two classes of pilot-vessels, for which there is no reason. They have made the Article longer. It is especially important that pilot-vessels when on their station should be easily seen, and as they have only a white light at the masthead, it is evident that they could be easily recognized if this light were special to them.

On the other hand, there has been added that in case of imminent collision they may show their green and red side-lights. I do not see the necessity of it. When a pilot-boat comes alongside of a vessel, the latter has almost invariably stopped. When the weather is bad the pilot is sometimes compelled to make his vessel fast to the vessel which he is to pilot, even though he may have a row-boat; and there is sometimes, in bad weather, in such cases a certain amount of danger for the pilot to go on board the vessel which he is to pilot, but there is rarely danger of collision. Pilot-boats are well manœuvred, and a vessel which wants a pilot-boat stops on seeing her approach.

On the other hand, an effort has been made to provide for the case where there is danger of collision with another vessel. I do not think that for that reason alone side-lights should be given to the pilot-vessels, for, by doing so, there is given to the pilot-vessels, which are easily manœuvred, as I have said before, a right of way which might in certain waters give rise to frequent manœuvres on the part of steam- and sailing-vessels there navigating, which it is well to avoid. The opinion of the Minister of Marine in our country admits that the pilot-vessel must not interfere with the course of other vessels, and that she cannot be assimilated, in case of collision, with such other vessels.

But if, after all, the Conference is of the opinion that these side-lights must be put in place, I see no serious objection thereto other than the trouble which may arise from admitting or refusing to the pilot-boat the right to be considered an ordinary vessel. Therefore, the important question presented to the Conference is, "should a pilot-boat be given the lights given to most fishing-vessels, or—making a distinction between the pilot-boat and the fishing-boat—should the latter be given a special light, leaving to the pilot-boat the white masthead-lights?"

Captain Donner (Germany).—Mr. President, I only want to state that Article 9 (*b*) has been taken specially because the Delegates from Norway said that in their country a large number of small pilot-boats existed which were entirely unable to carry the white masthead-light, and it was thought necessary to make exception for such small vessels. We could not find a limit in tonnage for this class of vessels, and we were required to make a limit by the use of these words: "A pilot-vessel of such a class as to be obliged to go alongside a vessel and put a pilot on it is not to be obliged to carry the white masthead-light." We thought that would be sufficient to except small boats from carrying the top-light, and that was all we wanted.

The President.—The question is upon the amendment of the Delegate of the United States.

Mr. Hall (Great Britain).—Mr. President, I quite agree that it is desirable to insert some words such as those suggested by the learned Delegate of the United States to clear up any possibility of doubt that a vessel can use her ordinary side-lights instead of having other special lights. I quite agree with him as to the desirability of not making any vessel carry any more lights than is necessary. I think, perhaps, that if we should approve of that principle, we would be able to find words in the Collocation Committee which would remove that doubt. I think it would be very much more simple if it read as follows: "When it approaches another to put a pilot on board, or where there is risk of collision, such pilot-vessels shall have at hand ready for use two lights, one red and one green, and shall show one of them temporarily in order to direct it." Then the side-lights may be used for this purpose, but if so used, they must be kept in their places and screened till required for use as above. I think that would make the Rule much shorter; and if we agree to the principle proposed by the learned Delegate of the United States, I would suggest that this matter should be left to be dealt with by the Collocation Committee.

Mr. Goodrich (United States).—Mr. President, I would suggest that at the first reading the amendment seems to me to be quite proper. The language of this amendment may require a little consideration in the Collocation Committee, and if the principle is adopted by the Conference, I think it would be advisable to refer it to the Committee.

Mr. Flood (Norway).—Mr. President, so far as my amendment goes, I am fully satisfied with the proposition of the learned Delegate of the United States.

Admiral Bowden-Smith (Great Britain).—Mr. President, I only desire to say a few words. I wish to ask the gallant Delegate from Germany who has just spoken on this subsection (*b*) of Article 9, whether he thinks it necessary for these little boats to carry a second light. I am trying to put myself in the position of those men who are in the small boats with very few hands to man the boat. I am referring now to subsection (*b*) of Article 9, the latter part of it, where they require a white light, and also require them to have at hand a lantern with a red glass on one side and a green glass on the other. As I understand it, this light is to be in addition to the white light which they already have to show. I merely want to suggest whether it would not be enough for these little boats to have the white light only, because I cannot see how they are going to show this other light if they only have one or two hands on board the boat.

Captain Donner (Germany).—Mr. President, if I were to state my own personal opinion, I would say that it would be quite sufficient for them to carry the white light. That is a proposal which I made for the small vessels in the Committee, but the Committee preferred this proposal. We have provided in the Committee that all small sailing-vessels and vessels propelled by oars shall have this red and green lantern at hand. If that is the case, there is no reason why small pilot-boats should not carry the same lantern. If I were making a proposal personally, I would take out this red and green lantern altogether, because I do not like the thing at all. I dare say it is the worst invention ever made, and I should prefer one light by far. But we have proposed it in Committee; I was out-voted, and I have accepted the proposal contained in the Report of the Committee as a compromise. But if I am asked what I think personally about the matter, I will say that I think the white light much better than this red and green light in the same lantern.

Mr. Flood (Norway).—Mr. President, allow me also to put in a good word in behalf of the small boats, and, if possible, to get rid of these coloured lights. One bright light will be all that is necessary for them. These vessels are nearly all in the northern latitudes, where there is hardly any use for a lantern in the summer months, and in the dead of winter the traffic up there is not so great as in the southern latitudes. Another reason is that these pilots do not go out in a crowd of six or eight or ten together in a big boat; but they go out very often with only one pilot and a man or a little boy in the boat. How can they possibly handle these different lights as proposed here? I would very much like to impress upon the Conference that this mixed light should come out of this Rule. It is sufficient to have one white light.

Mr. Goodrich (United States).—Mr. President, I move that the suggestions of the learned Delegate from Great Britain and the suggestion of the Delegate from the United States be approved in principle, and that the amendment be referred to the Collocation Committee, so that we may discuss other amendments as they arise.

The President.—The question is upon the suggestion of the Delegate from Great Britain upon the principle of the amendment proposed by the Delegate from the United States. Is the Conference ready for the question?

Mr. Verney (Siam).—Mr. President, may I ask the Conference as to whether the intention is that pilots shall not be allowed to show both lights if they wish to? Should it not read so that they can be allowed to show both lights if it is necessary? Are you going to limit the pilot to showing only one light?

Mr. Hall (Great Britain),—Mr. President, that is not the point before the Conference. The question is whether every vessel is to show her white light first. If we adopt that principle, I suggest that it be left to the Collocation Committee to carry out the principle.

The President.—Is the Conference ready for the question?

The question was put to the Conference, and carried.

The President.—The amendment of the Delegate from Norway will now be read.

The amendment is as follows:—

"Strike out in the fourth and fifth lines of the second paragraph, subsection (*a*), the words, 'on deck on their respective sides of the vessel,' and substitute therefor the words, 'at hand.'"

Mr. Flood (Norway).—Mr. President, I have already expressed my desire to withdraw that amendment, having regard to what has been expressed by the learned Delegate from Great Britain. The amendment is withdrawn.

The President.—The question now is upon subsection (*a*), Article 9, as amended.

Mr. Verney (Siam).—Mr. President, should I be in order if I proposed that the Conference give permission to pilots to show both lights, if necessary, simultaneously, instead of confining it to one?

Mr. Hall (Great Britain).—Mr. President, I take it that there could be no possible doubt that if a vessel is required to show one light, to show which way she is heading, if she changes her course she ought to be permitted to show the other one.

The question was put to the Conference upon the adoption of paragraph (*a*), Article 9, and it was adopted.

The President.—The Secretary will now please read paragraph (*b*), Article 9.

"Article 9 (*b*). A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the masthead.

"Such vessels shall also not be obliged to carry the side-lights proposed for larger pilot-vessels, but in this case they shall have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching a vessel to put a pilot on board, or on approaching to or being approached by a vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

Mr. Flood (Norway).—Mr. President, I take the liberty of proposing that the last section of subsection (*b*) go out altogether, and that the first paragraph of subsection (*b*) read as it has just been read by the Secretary, adding the words, "but no other light is necessary." I propose to do away entirely with the red and green light on board of small boats, and provide that they shall *show* the white light instead of *carry* the white light.

Mr. Goodrich (United States).—Mr. President, I suggest to the Delegate from Norway that we shall get into inextricable confusion unless the Delegate who proposes an amendment puts it into writing. Then if it is desirable to refer it to the Collocation Committee it can be so referred. It is impossible to carry these amendments either in our memoranda or in our heads.

Admiral Nares (Great Britain).—Mr. President, I should like to put before the Conference, as Chairman of the Committee on Lights for Small Craft at the time it was drawn up, the reason why this paragraph was introduced. If you will refer to Article 7 you will find that we there provide that in case of small vessels under way during bad weather, when the red and green lights cannot be carried, that they shall be kept at hand ready for use. As a consequence of that, when we came down to pilot-vessels, it followed necessarily that you must either reword Article 7 to apply to these small boats, or you must introduce it as we have introduced it. I wish the Conference to clearly keep that before their minds. If you strike out this paragraph altogether, which I may say, personally, I should be very glad to see struck out, you must be careful, at the same time, what you are doing, and you must make some provision, because it will not only include these pilot-boats, but it will include all other boats that are cruizing about at sea and are dangerous to vessels and dangerous to lives on board of them.

Captain Donner (Germany).—Mr. President, this paragraph (*b*), Article 9, has no relation whatever to Article 7. Article 7 makes an arrangement for small vessels not being able to carry their side-lights in the regular place in bad weather. That is for a time more or less long, but they are generally able to carry their side-lights in their proper places. But in Article 10 you will find quite a new principle brought into the Rule, which formerly was in Article 9 of the old Rules of 1863. There it says:—

"All open boats shall be only obliged to carry a red and green lantern in one place, and to show that if necessary."

This old Article 9 has been put in place of Article 10 by many nations, and by Great Britain. If you will look at the Report of the Committee appointed to prepare material for printing, you will find that nearly all the nations have suspended Article 10 and have put in force the old Article 9, the Law of 1863, I believe. That is quite another thing from Article 7. We wanted to make a special light for small craft, not for the craft mentioned in Article 7. In my opinion, these small pilot-boats will fall under the head of the small craft. They belong really to the boats mentioned in Article 10, therefore it is absolutely necessary that they should carry the same lights as all other small open boats and small vessels under 20 tons, that is, they must carry the red and green lanterns. The white lantern is only proposed for them because we want them to show that they are pilot-vessels, and unless they want to show this they will not have to carry the white lantern at all. No real hardship can come out of this, because every boat is obliged to have this white lantern to hoist in case she comes to anchor. I dare say that every boat and vessel existing is in possession of a white lantern. I must say, however, that I could not agree to allow these vessels to go to sea without being in possession of a red and green hand-lantern, for, if you do, you will be obliged to do the same for all the small craft of the same size, and that would revolutionize all the proposals of the Committee. I, personally, would be perfectly satisfied if that should be done, but as long as the proposals of the Committee are not dismissed by the Conference, I dare say it would be a great mistake to except small pilot-vessels from carrying the red and green lights.

Admiral Nares (Great Britain).—Mr. President, I think there is practically an agreement that small open boats, with a man or a boy in them, at sea, will not carry any more than the white light. You may lay down the Rule for it, but they won't do it. The difficulty is to draw the line as to what a small boat is. As I have said before, Article 7 includes small vessels; Captain Donner agrees with me in this. In that Article it alludes to bad weather, and the very fact that it alludes to bad weather also makes it allude to fine weather, because they must have these lanterns on board in bad weather, and, therefore, necessarily, they must have them on board in fine weather. That is provided for under Article 7. We have endeavoured to fix a limit here of a pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board. If any Delegate can introduce any words making a

different limit, I am sure that we shall be very glad to have it done. But if you take out this section you must reword Article 7.

Mr. Flood (Norway).—Mr. President, allow me to say a few words. I will point out, with regard to this red and green lantern, that it is to be held in such a way that the green light shall not be seen on the port side nor the red light on the starboard side. I challenge any practical man amongst us here to explain how that can be done practically. The gallant Admiral Bowden-Smith the other day forcibly pointed out that we were sitting here in comfortable chairs and in dry clothes, but that we ought to remember the sailor at sea, standing in the boat rocking like a cradle, holding the lantern, and then having to look out to see that the green light should not show on the port side nor the red light on the starboard side. Think of the situation, and think how the sailors will laugh when they see how we have provided that they shall hold this lantern. Let us not make Rules which look very well on paper, but which cannot be used in the boats.

Captain Donner (Germany).—Mr. President, all which has just fallen from the gallant Delegate from Norway was said by me in the Committee. I proposed amendment No. 10, and if the Delegates will please look at it they will see that the German Delegation proposed that small crafts of a certain size should only be obliged to show the white light and nothing else. That was our original proposal which I held in Committee. But, as I said before, I was out-voted by a large majority. I was told that it was absolutely necessary to the safety of these small vessels at sea that they should carry a red and green lantern, and I was obliged to accept this because the majority of the Committee was against me—six to one. I now hear, to my great astonishment, that my view of the thing is accepted by other gentlemen. I had not looked for that at all. I thought I stood perfectly alone in the opinion that the white lantern would be better than the red and green one. I dare say that, under these circumstances, our amendment No. 10 might be brought again before the Conference.

Admiral Nares (Great Britain).—Mr. President, when amendment No. 10 was under discussion, Mr. Gray was the Chairman of the Committee, so I am only speaking for myself, and am not speaking for the rest of the Committee when I refer to that part of the subject.

Captain Hubert (the Netherlands).—Mr. President, I fully agree with the honourable Delegate from Germany. When we had a vote upon it there were five against it and four in favour of it. I believe the gallant Delegate from China, Mr. Schneider, Captain Donner, and myself, were in favour of it.

Captain Bisbee (China).—Mr. President, in the Committee I proposed that the white light should be used in such a manner as to show the direction in which the boat was moving. I stated before the Committee, and I repeat it before the Conference now, that if I were in the way of a steam-vessel and wished to attract her attention, I should prefer to have the white light and put it up to show her which way the boat was going, rather than to trust to one of these jim-crack red and green things.

Admiral Bowden-Smith (Great Britain).—Mr. President, during the discussion of the proposed amendment about small boats, introduced by the Delegate from China, I may say that it met with the cordial and hearty approval of all the Delegates from Great Britain, but we could not vote for the amendment because we did not see our way clear for putting it into the Rules, and the honourable Delegate withdrew it. That was the proposition that small handy boats should keep out of the way of large vessels in crowded waters. I am sure now that if we make too much legislation for these small boats they will think themselves so important that they will not get out of our way at all. We are preparing a bad business for ourselves if we make too much legislation for these small boats.

The President.—The question now is upon the amendment of the Delegate from Norway.

Captain Shackford (United States).—Mr. President, I am very glad indeed to see that the Delegates are gradually coming around to my way of thinking. I proposed some time ago the elimination of Article 7 entirely. I believe now that the opinion is almost unanimous that these lights are an abomination and a fraud.

Dr. Sieveking (Germany).—Mr. President, I am afraid there are some questions which have not been explained, or some principles which have not been explained quite clearly, and about which there may be a mistake. Therefore I think I must make a few remarks to prevent any misunderstanding.

By several Delegates it has been remarked that for the small vessels the white light would be quite sufficient, and it has been said, in support of that, that experience shows this to be a fact. They do not now carry the red and green lantern, and they have had only to carry the white lantern; therefore, of course, it would be a very simple thing to establish a Rule in conformity with the practice already formed, and let them keep the white light only. But that would not apply to pilot-vessels. It would apply to small boats of a certain tonnage, say up to 15 or 20 tons, which would be a question to be considered later, or, perhaps, it could be left to the different Governments to decide upon the tonnage. I merely want to explain the principle. It has been said the white light ought to be the only light prescribed for small boats, whether pilot-boats or fishing-boats, of a certain tonnage, say up to 20 tons.

Now comes the important question: How is it to be with the privilege? Are they to keep out of the way, or are other vessels to keep out of their way? That is a point which I think has not been fully considered. We must be quite clear on that question. If it is suggested to give the white light only to small vessels, are we then to say that this white light is sufficient to give these small vessels the privilege that other vessels have to keep out of their way? or are we to say that if we do not require them to carry more than the white light, then they must keep out of the way of other vessels, whether sailing-vessels or steam-vessels? The German Delegation at first thought sufficient for these small boats to have a white light only, and that the general sailing Rules should apply to them when carrying the white light only. That is to say, that steam-vessels must always keep out of their way, and sailing-vessels should observe the general Rules under Article 14. If

the members of the Conference will be good enough to look at amendment No. 27, under Article 10 they will find that it is expressed in these words :—

"Open boats and other vessels of less than 14 tons gross registered tonnage, whether under way or not, shall not be obliged to carry the lights required for other vessels, but if they do not carry such lights they shall have ready at hand a lantern showing a bright white light of at least 12-candle power, and on approaching to, or being approached by, another vessel, such lantern shall be exhibited in sufficient time to prevent collision."

Now, if this twenty-seventh amendment were made a Rule, the consequence would be that these small vessels need not carry the fixed bright white light, but need only show it, and then the general sailing Rules would apply to them. But against this it has been said that it would be too great a danger to other vessels. I think there is a good deal in that, and that it is a sound argument to say that it is impossible that a white light, moving, without any coloured light to show the heading of a vessel, should entitle that vessel to claim the privilege that other vessels should keep out of the way. Therefore, this red and green lantern has been introduced, and it has been suggested that when they show the red and green lantern we should give them the privilege.

Now, it is said, as against this proposition, this morning, that it would not be obeyed; that the red and green glass is a very bad glass, and that in practice it could not be shown. It is said it would be much better to give them the white light. If we give them the white light only we might say at the same time that although they are nevertheless obliged to carry the white light, or to show the white light, they are not to have the privilege, but are to keep out of the way of other vessels. That is what is contained in extra amendment No. 33, if the members of the Conference will be good enough to look at it. There the wording is as follows :—

"Vessels propelled by sails or oars, of less than 14 tons gross registered tonnage, shall not be required to carry or show the lights prescribed by these Rules, but if they do not carry or show them, they shall, if making way through the water, keep out of the way of other vessels, whether steam- or sailing-vessels, and if not making way through the water, on being approached by other vessels, show a bright white light, in time to prevent collision, in which case the approaching vessel shall keep out of their way."

I understand that this Rule which is now brought forward is supported on several sides; and I would suggest whether it would not be expedient to consider this extra amendment, No. 33, and amendment No. 27. There are different principles contained in these amendments. I think we cannot decide on the question as to what lights are to be given to these small craft without at once considering and deciding how is it to be with regard to the sailing Rules. Are they to keep out of the way, or are other boats to keep out of their way ? I think that something might be said in favour of each proposal. I think that the question about the lights could not be properly decided without keeping in mind what is to be the consequence of displaying the light, without also keeping in mind the general sailing Rules. I should very much like to hear a discussion upon that point.

Mr. Hall (Great Britain).—Mr. President, I have listened with great attention to the speeches which have been addressed to the Conference this morning on this point; and it appears to me that there seems to be an almost general consensus of opinion that, if possible, we should allow these small pilot-vessels to carry only the white light. That appears to be practically the general opinion this morning. I may be mistaken, but, of course, we shall be able to ascertain that very soon. If that be so, and if it is proposed to strike out this second clause of subsection (*b*), I certainly think that we ought to ask the gentlemen who so kindly assisted us on this Small Craft Committee, to permit this matter to be referred to them again, because there will have to be consequential alterations in the Rules. If we strike this out there is no doubt that it will have an effect on all the other Rules, and we must see that proper words are put in as safeguards to prevent this alteration from changing the other Rules, unintentionally.

I think, therefore, although I am very loth to ask them to give their valuable time to it, that it will be necessary to ask them to do so. If we adopt this principle, it will be necessary to consider whether or not the other Rules should be modified in any way. As I say, I regret very much the possibility of having to ask them to give us their labours again, but I think it will be necessary if this amendment is passed. May I say, by way of parenthesis, that I certainly do not think we arrive at any good results by knowing which way one member of the Committee voted and which way another member voted. If the Conference are of the opinion that we should allow these small pilot-vessels only to show the white light, I certainly think that we ought to ask the Committee to look through the Rules again and see whether or not it will be necessary to make any alterations.

Dr. Sieveking (Germany).—Mr. President, may I be allowed to add a few remarks to what has just been said ? I think it will be very expedient to have this matter referred back to the Committee; but in case it is referred, I think it would be better to extend their powers a little. According to the Resolution adopted by the Conference, the Committee were limited to considering and reporting on the lights to be carried or shown on small vessels, pilot-vessels, and fishing-vessels. As soon as the question arises as to lights to be carried by small craft, the suggestion is made that we shall simplify the lights, give them the white light only, and not require them to carry the coloured light. Then the question immediately arises, how is it to be with regard to the sailing Rules; are they to keep out of the way, or are other vessels to keep out of their way ? I understand that this has been the case in the Committee, and that they did not consider themselves empowered to consider the sailing Rules. Now, because these two points cannot be kept separate from each other, I should like very much to support the suggestion made by the learned Delegate from Great Britain, and have this matter referred to the Committee for reconsideration, and to give them the power, at the same time, to consider the effect with regard to the sailing Rules, and to make proposals with regard to the question as to whether other vessels have to keep out of their way, or whether they have to keep out of the way of other

vessels. I think that we ought to extend their power to giving a Report, or making proposals on sailing Rules for small craft.

Captain Norcross (United States).—Mr. President, it seems to me that if we grant this privilege to small vessels of only showing the white light, that the only way to make our work perfect will be to entirely do away with such side-lights and return to first principles, and carry the old bowsprit-light. I would like to ask any sailor here if he saw a white light ahead which way he would put his helm to avoid it ?

The President.—The question is upon the amendment of the Delegate from Norway.

Captain Richard (France).—Mr. President, it seems to me that this question of lights can be promptly decided. I do not think that it is wise to take any other course. When I see a white light ahead of my vessel I go out of my course ; there is danger. It is a purely humanitarian act on my part ; it has nothing to do with the course, because a white light simply indicates the presence of a vessel, and not her course. Every vessel which sees a white light should get out of the way if possible, but the vessel carrying the white light should be very cautious in her manœuvring. In other words, she has not the right of way which the side-lights confer upon her at certain moments. I do not think that we can escape that conclusion.

Consequently, it would be wise to give the red and the green lights only to vessels which really are entitled to them, if we do not wish to greatly hamper navigation.

The President.—The question now is upon the amendment of the Delegate from Norway.

Mr. Flood (Norway).—Mr. President, before taking a vote upon the amendment under discussion, I would ask that it only be considered in principle, and that, as already proposed by Dr. Sieveking, it shall be referred to the Committee on Lights for Small Craft, to be dealt with by them.

The President.—Is the Conference ready for the question upon the principle as suggested by the Delegate from Norway ?

Mr. Goodrich (United States).—Mr. President, I think that the Delegate had better formulate the proposition so that we can clearly understand it.

Mr. Flood (Norway).—Mr. President, my proposal is simply this, to leave the first section of paragraph (*b*) as it is, and to have the second section read: "Such vessels shall not be obliged to carry or show the side-lights or the masthead-light," and strike out the rest of the paragraph

The President.—The Secretary will please read the amendment as suggested.

It is as follows:—

"Paragraph (*b*). A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show a white light instead of carrying a white light at the masthead.

"Such vessel shall not be obliged to carry or show the side-lights or the masthead-light."

Mr. Goodrich (United States).—And strike out the rest of the paragraph.

Mr. Flood (Norway).—The rest of it is to come out.

Dr. Sieveking (Germany).—I beg to point out to the gallant Delegate from Norway that if we only strike out a single part of subsection (*b*), I do not think we will do what he intends. If we strike out the second part only it will not accomplish the purpose he desires. Then the small pilot-vessels would remain subject to the duty of showing a red and green light, only they would not be obliged to carry the white light. The gallant Delegate from Norway evidently intends to add the words "shall not be required to show any other light." They must be added, so that the first part of subsection (*b*) would run as follows:—

"A pilot-boat of such a class as to be obliged to go alongside of a vessel to put a pilot on board to show a white light instead of carrying a white light at the masthead, and shall not be required to show any other light."

Mr. Flood (Norway).—That is correct.

Dr. Sieveking (Germany).—Mr. President, may I suggest that this is a principle which refers to other small craft in the same way as to a pilot-vessel. I think we cannot vote upon this principle without deciding how it shall be with regard to the pilot-boat, whether the general sailing Rules are to apply or not. I think that to simplify the business it will be much better to have this question referred to the Committee on Lights for Small Craft to reconsider this Article, with the power to report on the sailing Rules.

The President.—If the Delegate will be kind enough to embody that in an amendment it will be read.

Mr. Hall (Great Britain).—Mr. President, with regard to that proposition, I have no doubt that the Committee will be able to assist us a great deal. I cannot help seeing the difficulty which has been pointed out by the gallant Delegate from France. It will be a very dangerous thing to interfere with these steering and sailing Rules which have been long in practice, and which are thoroughly well known by every sailor. If we are going to lay down a different set of Rules which are to be dealt with by vessels when they meet small craft, I think we shall be making confusion worse confounded. How is a steamer, when she meets a vessel ahead of her, to know how big that vessel is ? She may be a pilot-vessel of a large size. How is she to know whether that vessel is to keep out of her way or not ? If we are to have a different set of proposals for vessels of one kind, and another set for vessels of another size, we shall be getting into the greatest confusion. If the Conference sees fit, let us ask the Committee to assist us in this matter, but I confess. speaking off-hand and without having time to consider, I think it would be initiating a most dangerous change to have a different system of sailing Rules for vessels simply because they happen to be of a smaller size than other vessels.

Mr. Flood (Norway).—Mr. President, may I be allowed to give my opinion in this matter ? I think there is a great difference between compelling a small boat to carry certain lights, and forbidding

her to carry them. She can carry the lights if she wants to. The only thing which I am after is that she shall not be compelled to carry them.

Dr. Sieveking (Germany).—Mr. President, may I just say a few words on the question with regard to what condition the Court would be in when such a question would come before a Tribunal in a collision case between two vessels, a large one and a small one? I fully agree with what has been said by the learned Delegate from Great Britain, that there is very much to be said in favour of this principle, and that it is impossible to allow the small craft the privilege and give them the white light only. Therefore, I want to explain in what condition a Court would find itself when a collision occurred between two vessels, if the case was laid before it. The Court would say, the first question would be which is to keep out of the way. The Court would then look to the Rules. The Rules would say, the steamer is to keep out of the way of sailing-vessels. Now, these small craft are sailing-vessels generally. Take a sailing-vessel, and the steamer would have to keep out of the way. That would be the Rule which would be binding upon the Court, and if the steamer said, "I could not distinctly distinguish the sailing-vessel, I saw only a white light, there was no red or green light, and I could not make out her heading," the answer would be, "That is the fault of the Rule. The Rules have given the white light only; they have not required the small craft to carry other lights or to show the red and green lanterns; and we are bound by the Rule which says that a steamer has to keep out of the way of sailing-vessels. The Rules must have approved of this, because they have established a general principle that a steamer is to keep out of the way."

I may say that I would be entirely of the opinion that a steamer would be quite right in saying: I cannot keep out of the way of a sailing-vessel when she is carrying a white light only, but if it is to be an argument which has to be carried in a law suit, then the Rules must say something about it. Now the Committee on Lights for Small Craft could not take this matter into consideration under the power which was given them by the Conference. I would therefore suggest that it should be referred to the Committee again. It is a very difficult thing to deal with such a complicated question in such a large assembly as this; and if it is carefully considered in Committee, I think it will be very easy to come to an understanding. There are different ways of treating the question, as I have shown; different amendments have been proposed, and perhaps there might be a third solution, that is to say: That small craft are allowed to carry the red and green lights, and if they show it in time then they have the privilege quite in the same way as other vessels, but they are not required to show them or to carry them. If they, to save expense and for economy's sake, carry the white light only, it might be said then: They must keep out of the way; it rests upon them to keep a proper look-out, and they cannot claim the right to be treated according to the general sailing Rules except in case they are stationary. If they are at anchor or stationary the white light is enough to protect them; but as long as they are moving the white light does not give them the privilege. They can, however, get their privilege by showing the red and green light. That would be the third solution of the problem.

I think that all these questions must be considered by the Committee. It has not been done, only because the Committee did not have the power to do so. Therefore, I would suggest that the question as to the lights which small crafts are to be required to carry should be referred to the Committee on Lights for Small Craft, with power to report on the sailing Rules for such vessels.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

The President.—The question is upon the amendment of the Delegate from Norway. Does the Delegate desire to have a vote upon his amendment?

Mr. Flood (Norway).—Mr. President, I do not think it is necessary after what I proposed before recess. I proposed that it should be handed over to the Committee on Lights for Small Craft for consideration.

Dr. Sieveking (Germany).—Mr. President, I beg to suggest that it would be of no use to refer the question back to the Committee on Lights for Small Craft without giving them certain guidings. I think that they would return a Report saying that they had considered the matter most fully, and that the only thing they could propose was what they had proposed. If the Conference adopt the principle which differs from that proposed by the Committee, then I think it would have to be sent back. I think the best course would be that the amendment proposed by the Delegate should be put to a vote. His amendment is to strike out a part of section (*b*) and to add the words, "that they are not obliged to carry other lights," to the end of the first paragraph of section (*b*). That would put the matter in this condition: If it were passed the small pilot-vessels would not be required to show any side-lights. They would have to exhibit the white light only; and then the question would arise, how is it with the sailing Rules? Are they to keep out of the way of other vessels or not? Then I think that would have to be referred to the Committee, extending their powers, as I said before. If the amendment should not be carried, then, if the Report is adopted, I do not see any reason for referring that question to the Committee.

Mr. Hall (Great Britain).—Mr. President, during the adjournment I have had an opportunity of ascertaining what the views were and what the questions were which were discussed before the Committee with regard to this question. May I say at the outset that I hope we shall not jump at once to the conclusion that this Report of the Committee is not a good one without first of all ascertaining whether or not the questions which have been raised here to-day in the most interesting manner were raised and discussed before that Committee. I am informed that there is not a single word of what has been said here to-day but what was advanced and discussed most carefully before that Committee. Therefore, we find ourselves in this position: The Committee has before them the very great difficulty which has been pointed out by the learned Delegate from Germany, and which, of course, will have to be met if we alter this proposal of the Committee, and for this reason: If we say that a vessel is not to be obliged to carry anything but the masthead-light, it gives her the right, as

against every other vessel, to require those vessels to keep out of her way, and is putting a very great liability on other vessels for the benefit of the small vessels.

As the law stands at present there is no Rule saying that she shall carry the side-lights, but if she chooses to carry the masthead-light only she does it at her own peril, and she has no right of action as against other vessels for not keeping out of her way. I confess myself that I did not at first see when this proposal was made what striking results would follow from this change. One's natural sympathy is with the small vessels, and the desire is not to put any duties upon them more onerous than they can bear. But we have got to consider other vessels and the safety of human life. We have got to consider whether or not we are entitled to relieve the small vessel from giving warning to other vessels that she is in the vicinity, and whether she is entitled to be absolved from that duty. If we do absolve her from that duty we at once get into difficulty with the steering and sailing Rules.

I think, having regard to the fact that this matter was most carefully discussed before the Committee, and to the fact that the Committee, after having discussed it and studied it thoroughly, have reached the conclusion that this was the best Rule and the best proposal they could make—I confess myself that I think we ought to have a very strong argument to justify us in not only reversing their decision, but in coming to a conclusion which would render it necessary to alter the steering and sailing Rules and to have a different system of sailing Rules for small vessels and for other craft. I confess that it is hard to exaggerate the difficulty which we would find ourselves in if we once adopt the principle that we are going to allow small vessels only to carry one light. The proposition is not that we are not to compel them to carry more than one light, but we are asked to say that they *need not* carry them. If we say that then they would be entitled to say to another vessel which ran them down, "I am carrying the only light required by the Rules, and therefore you are at fault." You have heard from both the Delegates from Germany most interesting speeches upon the matter, and I understand that they are of opinion that, having regard to the very great difficulties which would follow such a proposed change, they have decided to adopt the proposal of the Committee. Therefore, Mr. President, although at first I thought it desirable to refer this back to the Committee on Lights for Small Craft, I do not intend to press that Resolution, because I believe that we shall be acting far more wisely in adopting the Report of the Committee, which has been carefully thought out.

Mr. Verbrugghe (Belgium).—Mr. President, I am very thankful for what the learned Delegate for Great Britain has just stated. That the Conference is not quite satisfied with our Report is evident. I am one of the members of the majority, and will do what I can to enable the Conference to understand just how this decision was reached in the Committee. We went upon the principle which has been present throughout all the deliberations of the Conference to provide for the security of navigation. We found that any craft which deserves the name has to show itself during the night by some means. We did not wish to impose on small craft any great expense by requiring them to show many lights. Our idea at first was to be satisfied with the single white light. But I wish to point out what would have been the result of adopting this single white light. As has been stated here the white light gives the craft which carries it an immunity. I wish this point to be well understood, for there is not a unanimous idea about it. I desire to go into some particulars and to state the opinion of the majority of the Committee. It is a fact that a vessel, a merchant-vessel or a man-of-war, whatever she is, generally gets out of the way of small craft showing a white light. It is generally agreed that if they do carry only a white light at sea, the larger vessel gets out of the way. Small vessels certainly do not try to get themselves into intricate positions; they generally try to get out.

By what precedes, it is clear then that the white light will only be shown at the moment when a collision is likely to occur. How is such a showing of the white light to prevent it when it is understood that the small craft will get out of the way? I mean by small craft, not boats pulled by oars, but sailing-boats. If this white light is only to be shown at the last moment other vessels will not be able to see their direction. So we were obliged to have them carry some means of showing to other vessels their course. It may be considered a very heavy burden for small craft; but you will see what would be the result if you gave them the white light and said that the small craft have to get out of the way. Why should you give them the white light if it has no signification? If you give them the white light with the general signification of the white light, small craft will say, "I have a white light and other vessels have to care for me."

Thus we came very naturally to the position where we have to go a step further and give them a lantern with a red and green light, about which so much criticism has been expressed. I fully agree that they deserve all this criticism; but as human work is not perfect we must do the best we can. We do not wish to extend this too far, but desire to correct it to some extent by saying that the small craft shall not attempt to cross the bows of other vessels. With regard to referring this matter back to the Committee, I believe it would be wiser to decide this question here, because, very likely, whatever may be the second Report, there will be again a long discussion in the Conference. The Conference is aware of what the Committee has done. Our work is here. I believe that the Conference is quite ready to proceed with this discussion and decide the question. I should support the proposal of the learned Delegate from Great Britain that the Conference finish the discussion and decide this question.

Mr. Flood (Norway).—Mr. President, let me first say that I am highly impressed with the arguments brought forward, both by the learned Delegate from Great Britain and the honourable Delegate from Belgium; but I must still confess that I am not persuaded that the proposal to strike out a part of this paragraph should not be carried. The more I think of it the more I think it would be better, and that it would be but justice to the small boats to get rid of this Rule requiring them to carry the red and green lanterns. The smaller a vessel is the less able she is to take care of herself, just as the smaller a man is, the less able he is to take care of himself. Think, now, of the situation of the larger vessels when they see one of these boats with one of these new inventions, a red and green light, on it! It says that it is to be exhibited so that the red is not to be shown on the starboard

side, and the green light is not to be shown on the port side; if anybody can tell me how that could be done it would do away with my doubts to a great extent.

But think of the situation at sea! These small boats have to exhibit their lights by manual help. If we are to give them the lights, we must give them so that they may be practically used. Suppose that a man is placed forward, in the bow, to show this light. One instant he shows a red light, and the next minute he shows a green light. Will not that help to confuse the big vessel and also help to make the little boat more careless? Instead of seeing her in good time, the big vessel will be confused by this light and will not know how to act. I think that we ought to have this matter considered on both sides, and I hope that the vote of the Conference will, in principle, be to do away with the red and green light. If anybody else can bring in another light, to meet the emergency, I would be in favour of it.

Admiral Nares (Great Britain).—Mr. President, before a vote is taken, I think I can say one or two words to simplify the question. Under Article 7 it has been the practice for several years, and up to the present time, to carry the lantern that is proposed in the paragraph now before us, on a certain class of vessels. We are talking now about the rule in regard to small boats. Up to the present time, all through the Rules of the Road which have been acted upon, they do not appear. There is not a single question about small boats. Now, I think the Courts will say, is this to apply to small boats; if so, what is the limit? We are trying to fix the limit now which has never been fixed in all these years. You may depend upon it that in all the different countries the whole question has been threshed out over and over again, and now we are going over it for the second time. If, under the present Rules, we mean that when I take my wife out 3 or 4 miles from the shore in a boat I am obliged to carry a lantern, and if I don't I am to be hauled up before the Courts and fined, let us say so; but, if the present Rules do not require this, why in the world should we be trying to say so? We are trying to place a certain limit on the size of boats; why can't we leave it alone?

Mr. Goodrich (United States).—Mr. President, it seems to be the rule of this Conference, as it is of all deliberative assemblies, that a well considered Report of a competent Committee should be adopted, unless manifest and clear reasons appear for refusing to accept it. It is very evident, I may say, simply by the length of this Report and the extensive Rules which have been presented to us, that almost every phase of the case of small boats at sea has been considered, and it seems to me also that in a great measure the difficulty which has been suggested by the gallant Delegate from Great Britain is met in this Report, there being a distinction in Article 10 as to all vessels of less than 20 tons gross tonnage, and then as to vessels of less than 40 tons, and then as to vessels of 5 tons. I have been very much impressed by the remarks of the Delegates at the other end of the table in regard to the difficulty into which we are falling, by changing the Rules as they have been laid down in the Report of this Committee.

I think that if we change this Rule and change it by any sudden amendment in the Conference—and perhaps I ought not to say this—we are going to prolong the sessions of the Conference for at least a week over this subject. Unless some one points out a radical objection to the Report of the Committee, it does seem to me that it would be wiser to accept the Report. It is very clear that we shall have to change the whole sailing Rules if this suggestion is adopted, because the white light is an object to be avoided, and the burden will be imposed upon a vessel which sees another vessel carrying a white light, and a white light only, of keeping out of the way and giving that white light the right of way. Now, that is a very dangerous proposition; it is changing the whole theory of the Rules. You are establishing Rules for steering and sailing; you are establishing Rules for the white light, and then overriding them by an additional amendment which changes the whole theory of all the Rules. That seems to me to be a subject which must be very carefully considered, and unless someone can show a very good reason for overriding this Report, I think the Delegates from the United States will be prepared to vote for it as it stands in the Report of the Committee. I know that it had very careful consideration before that Committee for a week, and if there were any radical defects it seems to me that some Delegate would have been able to point it out. For myself, I may say that up to this time I do not see any reason why we should make this change.

Mr. Flood (Norway).—Mr. President, I have nothing at all to say to defend my views, more than what has been said by the most distinguished and gallant Delegate from Great Britain. I will add that I have great respect for the conclusions which the Committees generally come to; but that does not apply in all cases. The gallant Delegate from Germany, Captain Donner, as you all know, has made a specialty of these small boats, and he has stated that he entirely agreed with me, and that he would like to get rid of this light, and that they were so divided that there was just one vote which arranged the whole thing. Now, since that is brought before us—I do not say that it is always a wise thing to bring that into a Conference—but since it is here, it cannot be forgotten. When we have such a fact before us I think we ought not to rely too much upon the infallibility of the Committee.

Admiral Bowden-Smith (Great Britain).—Mr. President, I wish to say that, for my part, I would a great deal rather that a small boat should show a white light, showing which way she was going, than that she should fiddle about with a red and green thing, such as is proposed here, when she would probably show you the wrong one. I quite agree that it would be a most difficult thing for a small boat to be sure that she was showing the right side. I wish to draw the attention of the Conference to the fact that the Committee, as I read their proposals, on comparing them with what is already in the Rules, have introduced this small-boat question themselves, because in the present Rules I see no notice of this 5-ton limit, which has been brought before us. Now, the custom for small boats is this: Fishing-boats, pilot-boats, and small boats of 5 tons go to sea, and they take the white light, and if anything comes near them they show the white light. You may make this Rule. By all means make this Rule; but you cannot carry it out.

Captain Sampson (United States).—Mr. President, if the Report of the Committee is to be reconsidered in any way whatever, either by amendment to be submitted and adopted in the Conference, or

by referring it back to the Committee for further consideration, I would suggest that it would be better to do so without taking a vote upon the motion of the Delegate from Norway, for this reason: That if the Conference votes to support that motion, the Committee would find itself restricted in its action to the extent that they would be obliged to prepare Rules for vessels bearing a single white light, and, as suggested by the learned Delegate from Germany, make many changes in the prevailing Rules for vessels that would conform to small vessels carrying a single light; therefore, the Conference would decide in advance the question which they would virtually, by referring it to the Committee, expect the Committee to decide.

It seems to me that, if the Committee to whom this matter was referred have considered, as I understand they have, the questions which were involved in this matter, that to refer it back without further instructions would be unnecessary. But if that Committee find themselves restricted in their recommendations by the fact that they were not called upon to modify or alter the sailing Rules, then it would seem to me to be perfectly proper and we should gain a good deal by referring this question back to the Committee, and at the same time increase their power so that they could make any modifications they think fit to the sailing Rules for these small vessels. On the other hand, it seems to me that a change in the present Rules, or a change in the Report of this Committee, could not be fairly decided in this Conference. The question is such a broad one, and touches the sailing Rules at so many points, that it seems to me that we cannot decide it in the Conference by a discussion of the question which is now before it. If the Conference are of the opinion that it should be reconsidered, I think it should be referred back to the Committee just as it stands, but with increased authority, so that they may consider, if necessary, the sailing Rules.

Captain Donner (Germany).—Mr. President, I only want to say one word against what has fallen from the gallant Admiral of Great Britain. He says he does not see any necessity for making special lights for small boats, because such Rules do not exist now, and because they will not be obeyed. I must state that things are otherwise in our country, at least. This Rule is adopted by Germany as it now stands; that is to say, that all vessels plying the sea shall be governed by these Rules. Then, if we adopt such a Rule as this, we will look into every boat plying upon the seas of Germany, and punish the man if he is not in possession of the lantern prescribed by the Rules. We do not wait till he has run over or killed somebody, but we force him to comply with the law generally beforehand. Therefore, it is absolutely necessary for us to reach a tonnage limit, up to which a ship shall not be obliged to carry all these lanterns, or we must put it in the Rules that it shall be left to every Government to fix the limit for itself. Then we would say in Germany that these small vessels shall not carry these side-lights, and cannot carry the masthead-light; therefore, all German vessels of such and such a tonnage shall not be obliged to do so. If we fix a certain tonnage limit under this Rule, then in Germany, if we adopt it, we will see that it is followed by all small craft on our coast.

As I said once before, we have found out that it is absolutely impossible for small craft to carry the side-lights as prescribed by the existing law. Under the existing law there is no clause for small craft at all; the law only speaks, under Article 10, of open boats and fishing-boats of less than 20 tons. Now, all small craft are not fishing-vessels, and there is no Rule existing; therefore, we have come to the conclusion that all these small craft should be obliged to carry the lanterns that we have prescribed in this Rule. But we have found it is absolutely impossible, and that we cannot do that, and, therefore, we have prescribed a Rule for small vessels in such a way that it could be obeyed. Then the question arises, which is the better for small craft, to carry one single light, or also to carry the red and green hand-lantern as we have proposed? That is a question upon which there can be a difference of opinion. I think there is no doubt that the white light can be seen at a longer distance than the red and green light of this description, and, therefore, there can be no question that it is generally safer for the small craft to show the white light than this little red and green hand-lantern.

Then we come to another question, and that is, what is the consequence if a small craft only shows a white light? The consequence is that she has got out of the Rules of the Road altogether, and she is acting on her own responsibility, if I may say so. Therefore, perhaps the best thing you can do for small craft is to have them carry this red and green light, or small portable lantern, and show it as well as they can. At least there is a possibility then of getting one thing for them, and that is the right of way.

I have only one more remark to make. We have allowed small craft as well as all other vessels to use the flare-up whenever they wish to; that, in my opinion, alters the case very much. If you allow a small craft now to show the white flare-up, she is quite in the same position as if she shows the white light. She may show this flare-up when another vessel comes dangerously near, and when she has shown it, and she supposes that the other vessel has sighted it, she may possibly show this red and green lantern to some effect; that is, she may show how the small craft is laying.

Taking it altogether, my colleagues of the German Delegation and myself are ready to accept the proposals made by the Committee; but if any alteration is made, for example, with respect to small pilot-vessels, we wish to have the question raised once more to see if it is not just as good to make the white light obligatory for all small craft, because, in my opinion, there is no difference between a small pilot-vessel and other small vessels; if one should carry the red and green lights the other should carry them. We therefore propose to adopt the proposal of the Committee, and not to alter anything. We are ready to do that; but if you make any alteration we would like to have this question discussed once more to see whether it would not be better to have only one light.

Mr. Hall (Great Britain).—Mr. President, after what has fallen from the learned Delegate from Germany, I hope the Delegate from Norway will not think it is necessary to press his amendment, for he has very truly stated that one reason for his amendment was the opposition by the minority of the Committee to this Report. But now we are told by the learned Delegate from Germany, who formed one of the minority, and who has had time to consider the very great difficulty which would arise if we

alter this Report, and give the small pilot-vessel the right to carry only one light, that he has considered the very great difficulties which might exist, and therefore he is now ready to abide by the Report of the Committee. I hope the gallant Delegate will not think it necessary to press this amendment; but if he thinks fit to press it, then I wish to propose an amendment to his amendment, and that is, that the Conference shall determine whether or not it is desirable to alter the Report of the Committee on Lights with regard to subsection (*b*). I take it that, according to a former ruling in the Conference, that amendment will come first. There is really no difficulty in a small pilot-vessel being able to show these red and green lights, as has just been pointed out to me. She can have what is ordinarily called the bull's-eye lantern, which will show white in the centre, and red and green either side. Then it is only necessary to move one shutter to show either the red or the green light. Having regard to the fact that the red and green light is shown, and has been shown for years under Article 7, I do not see why there should be any difficulty in getting a man to obey this Rule any more than there has been in getting him to obey the Rule under Article 7.

Mr. Flood (Norway).—Mr. President, before the amendment goes to a vote let me say a word for small boats in general. If we accept this amendment as it comes from the Committee we force upon them this light, which I call an impracticable light. We have heard here that they will make them use them in Germany whether they want to use them or not. If they do not use them they will be examined and fined. Then, we are imposing a considerable expense upon them. To have these lights might require them to have an extra man in the boat to attend to the light. It has been said by the distinguished Delegate from Great Britain that they have an invention by which they can show an alternate red and green light. Now, that would take two hands. I can state, and I think that every sailor here will agree with me, that, under certain circumstances, a man needs one hand to hold him fast in the boat, so he cannot use both hands for the light. I do not see why we should do this. Remember, Gentlemen, that the lives of fishermen and pilots are as precious to them as our lives are to us, and if they find that it is necessary they will have these lights, without being compelled to do so by this Conference. His own life and the lives of his family are as dear to him as ours are to us, and if we do not force him to carry this light he will carry it provided he deems it necessary for his safety.

Captain Norcross (United States).—Mr. President, I would like to call the attention of the Conference to the fact that this concession is in no way an act of relief called for under the circumstances. The pilot is not like the poor fisherman, who, perhaps, with one or two of his boys, has pulled off shore with a small net to catch a few herring and mackerel. The pilot-boat has no relation to the size of the fish to be caught. The pilot from a small boat can board as large a ship as can a pilot from a large schooner, and the rates of pilotage that he will collect are the same that he would obtain if coming from a vessel of 100 tons. The difference is altogether in favour of the small-boat pilot, for his expenses are correspondingly less.

Captain Bisbee (China).—Mr. President, we all know that, as a matter of fact, these red and green lights have never been used to any considerable extent by small boats in any waters, and that they have never been used at all in Chinese waters, where fishing-boats are to be met with in thousands at some seasons of the year. But I do not believe this Conference is prepared to take a new departure and set aside the principle of the steering and sailing Rules as they now exist.

The question with us, then, is to cover actual conditions and practice which, whatever Rules we may propose, will most likely continue, and the best way seems to me to make the showing of a white light obligatory, and the use of a red and green light permissive on all small craft where there is really any physical difficulty in using the combined red and green light effectively.

The President.—The question is upon the amendment of the Delegate from Norway. Is the Conference ready for the question?

Mr. Hall (Great Britain).—There was an amendment moved upon that amendment by the Delegate from Germany, that it is not desirable to alter subsection (*b*) of the Report of the Committee on Lights for Small Craft. May I point out that it would be much more convenient to deal with the question in this way; for this reason: It has been pointed out by the gallant Delegate from the United States that if the amendment of the Delegate from Norway were put to a vote we should be asked to give an affirmative vote on the question, which would cripple the Committee afterwards. If it is decided that it is not desirable to retain subsection (*b*) as it stands, then I think it would be right to send the matter generally to the Committee to consider and report, but if we vote upon the amendment of the Delegate from Norway we would be crippling the Committee before we sent the matter to them.

Mr. Flood (Norway).—Mr. President, it is my proposal that it should be adopted in principle and sent back to the Committee on Lights for Small Craft to be considered.

Mr. Hall (Great Britain).—Mr. President, we cannot even decide on the principle. If we decide on such a principle it would afterwards cripple the Committee. If we do send this back to the Committee they will consider what has been advanced by the Delegate from Norway and by the other Delegates, and will send in their Report afterwards; but do not let us go on and first decide in principle to strike out a part of the Rule and then send it back to the Committee. That would be sending it to them after the mischief was done. We might have struck out the very words which were inserted for certain reasons which have escaped our notice. Do not let us propose to strike out anything before we send the matter to the Committee. I think it would be better for us to decide first as to whether or not the Rule is to stand, and if it is voted to the contrary, then send it to the Committee; but I hope that we shall not be left to that alternative.

Captain Richard (France).—Mr. President, I agree with what the learned Delegate of Great Britain has said. I, however, desire to present a few remarks in regard to paragraph (*b*). You say that a vessel of such a class when obliged to go alongside of a vessel "*may show a white light,*" instead of "carrying a white light on the masthead."

It is evident that you cannot leave to her this option. You cannot give her the power to show her white light only on certain privileged conditions. Then how is she going to show it? I do not

think you will admit that it is practicable at sea, under favourable conditions, so that the light will be continually visible from all points of the horizon. I would have no objection to the coloured lantern; I would have an objection to the white lantern. This white light should always be at the masthead.

I would add, to complete what I have to say upon this subject, that in our country a pilot-vessel which comes alongside a vessel is sometimes of considerable size, that she is frequently a decked vessel, and that the Rule which you apply to her is too clement a one.

In regard to the lantern with red and green lights, allow me to state that that kind of lantern has until now been carried only by small boats, by steam-launches, &c., which move about the harbours with generally a very smooth sea. They are mostly carried to prevent these little boats from colliding with each other. These coloured lights cannot be seen very far—about 150 to 200 metres in fair weather, and not much further in very clear weather. But would that be sufficient for seagoing vessels, however small they may be? You are going to give to vessels of considerable size which are decked the right to carry this lantern. I ask whether when you have given them this lantern with a green, a white, and a red glass, you have sufficiently provided for all risks which they may encounter at sea?

The first paragraph of the Article, as to which we were all agreed, and which all nations have adopted for the last thirty years, satisfied everybody. It was given no further consideration. The anxiety to prevent collisions between the pilot-boat and the one which it went alongside of existed long before the promulgation of the first paragraph of Article 9. The French Rules went so far as to provide that at certain times pilot-vessels might possibly be damaged when boarding a vessel in bad weather, and our Rule in regard thereto prescribes that such damage shall be repaired at the expense of the vessel, and that the same Rule shall be applied if the pilot-boat is totally lost.

The whole trouble arises from this desire to avoid this kind of collision, and of introducing into Article 9 something to that effect. You would have done better to have left this out, and to have retained the old Rule which, in its very laconism, was known all over the world and accepted by everybody.

Captain Sampson (United States).—Mr. President, perhaps it might meet with the views of the Conference generally if the question upon which we were called upon to vote would be upon the question as to whether this shall be referred to the Committee at all, without any restriction whatever. A vote upon that will decide what is the question next to be submitted to the Conference.

Mr. Hall (Great Britain).—Mr. President, I quite see the desire of the gallant Delegate from the United States, and in order to avoid the difficulty which he has pointed out, I think it would be desirable, before sending the matter back to the Committee, to determine whether it was necessary to alter it at all. Unless the Conference actually determine that it is not to stand as it stands at present, of course it would be unnecessary to send it back to the Committee. Therefore, as I am told there is not an actual motion to that effect, but the learned Delegate from Germany only said that they were willing to vote for the Rule as it stands now, I will move, *pro formâ*, that it is not desirable to alter subsection (*b*) of the Committee's Report.

The President.—Is the Conference ready for the question upon the motion of the Delegate from Great Britain? The motion of the Delegate from Great Britain is that subsection (*b*) of Article 9 is not to be altered.

Mr. Hall (Great Britain).—Mr. President, my motion is that it is not desirable to alter subsection (*b*).

The motion of the Delegate from Great Britain was put to the Conference, and carried.

The President.—The next subject for consideration will be paragraph (*c*) of Article 9, as follows:—

"Art. 9 (*c*). A pilot-vessel, whether under sail or steam, when not engaged on her station on pilotage duty, shall carry lights similar to those of other vessels."

The question was put to the Conference upon the adoption of paragraph (*c*), Article 9, and it was adopted.

The President.—The next subject in order is Article 10, paragraph (*a*). The Secretary will please read it.

Article 10, paragraph (*a*), is as follows:—

"(*a.*) Boats and vessels of less than 20 tons gross tonnage shall not be obliged to carry the coloured side-lights, but every such boat and vessel shall, if she do carry such side-lights, have ready at hand a lantern with a green glass on the one side and a red glass on the other, and on approaching to, or being approached by, another vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side."

The President.—Is the Conference ready for the question upon Article 10, paragraph (*a*), which has just been read?

The question was put to the Conference upon the adoption of Article 10, paragraph (*a*), and it was adopted.

The President.—The Secretary will now read paragraph (*b*), Article 10:—

"(*b.*) A vessel of less than 40 tons gross tonnage, when under steam, shall not be obliged to carry the lights prescribed for other vessels under steam, but, if she does not carry such lights, she shall carry on or in front of her foremast, or on or in front of her funnel, or somewhere in the forepart of the vessel where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light, visible for at least 2 miles, so constructed as to show over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side; and such vessel shall further carry either (1) side-lights

visible for at least 1 mile, or (2) a lantern with a green glass on the one side and a red glass on the other, so constructed that it will show an unbroken green light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the starboard side, and an unbroken red light over an arc of the horizon of ten points of the compass from right ahead to two points abaft the beam on the port side. This lantern shall be carried at not less than 3 feet below the white light before mentioned."

Captain Richard (France).—Mr. President, I have an objection to this Article in regard to fixing the measure of 40 tons. I think that the Conference should consider that with these 40 tons you will introduce a large number of vessels of considerable size, such as yachts and tug-boats, which are interested in having as good lights as possible. Steam fishing-vessels are not similarly situated as the sailing-vessels carrying on the same industry. The owner of a steam-vessel is generally sufficiently rich to light up his vessel properly. Consequently, I think it will be better not to grant any privileged lights to vessels over 20 tons. I think that it would be well not to give the liberty to small craft of a higher tonnage to carry a lesser light, but to let them carry a white light and side-lights, respectively visible at 2 miles and 1 mile. When fishing-vessels are on fishing-grounds, whatever may be the Rules, other vessels are, in fact, obliged to avoid them. They cannot be approached too near for fear of destroying or tearing their fishing-gear and nets. It is, therefore, necessary that passing vessels should be able to recognize as far as possible the nature of the vessels present on the fishing-grounds. I would not, therefore, hesitate to give to steam-vessels of over 20 tons (gross register) the lights prescribed by Article 3, that is to say, the white lights, visible 5 miles, and the side-lights, visible 2 miles.

I believe that it is not asking too much to give to small fishing-steamers the lights prescribed by Article 3.

Captain Donner (Germany).—Mr. President, I may say that this limit of 40 tons is fixed upon very arbitrarily, but we thought it necessary to come to some understanding about a tonnage limit, and the opinion of the Committee, after a very careful consideration, was that 40 tons was the best that could be agreed upon. We have not given to these small steamers any very great preference over other steamers. They are to carry the same lights as any big steamer, but the only allowance that we have given to them is that they are not required to carry the white light so far above the water as the big steamer, because they very often cannot do it. They very often have no mast at all, or if they have any, it is not 20 feet high from the deck, and it is very difficult for such a small vessel to hoist a lantern up to a single mast so that it shall show twenty points of the compass. It is easy to hoist up a lantern to show all around the horizon, but it is difficult to hoist up a lantern so fixed as to show only ten points on either side.

Therefore we were of the opinion that 40 tons was a limit which would meet the case best. I am not perfectly sure that 50 tons would not be better, or, perhaps, 30 tons. But we agreed upon 40 tons. I will also say that we considered the question as to the visibility of 2 miles, and we thought it was sufficient for a light which was carried only 9 feet high above the deck to show a distance of 2 miles. If we put a light of the same strength as the other white lights, which are required to show 5 miles, on small steamers, it would impose upon these vessels the carrying of enormously big lanterns, for it must take a big lantern to show a light 5 miles; 2 miles, in our opinion, was sufficient. I may go so far as to say that, in my personal opinion, it is not at all desirable to have such very strong lights on board of these small crafts plying about a harbour. What is the use of seeing a vessel of the dimensions of the small crafts a distance of 5 miles? If I see her 2 miles distant it is sufficient. Such small vessels can alter their course very quickly, and can easily manœuvre. They will take care not to come into collision, and 2 miles is a good distance for such a lantern to be seen, if it is not at a height of more than 10 feet above the water. I do not know what the visibility of such a light is, but I dare say it would be impossible to see a light 5 miles if it is as near the water as 10 feet.

These are the reasons why we have made this provision, and I would beg to have it accepted as it stands. We have left all vessels to carry the lights, but have permitted them to put them together in the middle of the ship, as has sometimes been done, because these small vessels are not able to carry the side-lights at the side of the vessel. They may carry them on the middle line of the vessel, that is to say, on their funnel. If you will look at the vessels plying in the harbours and roadsteads you will find a great many actually carrying their lights in the way proposed here. That seems to show that this way is practically a good one.

Admiral Bowden-Smith (Great Britain).—Mr. President, it appears to me that this change which the Committee has taken is a very good one. In my opinion, it is always a good thing to follow practice. The Conference will remember that the words "seagoing" having been removed from the Rules, it is absolutely necessary to make some International Regulations for the small vessels which go to sea and cannot carry the lights which the larger steamers are required to carry. These Regulations which have been put before us by the Committee are exactly the same in principle as have been carried out by the British Admiralty for the last three or four years. I do not know anything about the Board of Trade, but our Regulations, which I have here by my side, are exactly the same in principle as these proposed by this Committee, and, therefore, in adopting them, we would be following the practice, which is a good thing. Our seagoing steamers which cannot carry the regular lights have been compelled to carry a white light which shows 2 miles, and red and green lights which show 1 mile. The smaller vessels, little steam-launches, &c., have only been obliged to carry the combination lights. They have been excepted from the white light because it is impossible for them to carry it, and they carry the combination light, or a little light which will hang up on a hook before the funnel. I think that these things are well proposed, and they are now actually carried out so far as the British Admiralty is concerned.

Captain Richard (France).—Mr. President, I will reply in a few words to what has been said by the gallant Captain Donner in regard to the distance at which the light can be seen. That depends not only upon the elevation of the luminous point, but also upon the point where the observer is placed. Therefore, on a large vessel it is easy to see at a distance of 5 miles the light of a small vessel close to the water, provided the light is strong enough.

Captain Donner (Germany).—Mr. President, I may say that these small vessels are generally more apt to meet small vessels than big vessels. You will find these small vessels plying in the roadsteads and harbours and rivers, where a great number of such small vessels are plying together, and they are more apt to come into collisions with small vessels than big vessels. I think that, generally, a light of this kind will be perfectly sufficient for them. I agree that a light of 5 miles visibility would be better under certain circumstances, but if you enforce that you must require these small vessels to carry lanterns which are not in correspondence with their size, and which are very expensive.

The President.—Is the Conference ready for the question upon paragraph (*b*), Article 10?

The question was put upon paragraph (*b*), Article 10, and it was adopted.

The President.—The next business in order is Article —, paragraph (*a*). The Secretary will please read it.

The paragraph is as follows:—

"(*a.*) All fishing-vessels and fishing-boats of 20 tons *gross* tonnage, or upwards, when under way and when not required by the following Regulations in this Article to carry and show the lights therein named, shall carry and show the same lights as other vessels when under way."

The question was put to the Conference upon the adoption of Article—, paragraph (*a*), and it was adopted.

The President.—The Secretary will please read paragraph (*b*) of Article—.

Paragraph (*b*), Article —, is as follows:—

"(*b.*) All vessels *and boats* when engaged in fishing with drift-nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel of the vessel, shall not be less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such character, and contained in lanterns of such construction, as to show all around the horizon on a dark night, with a clear atmosphere, for a distance of not less than 3 miles."

Paragraph (*b*) was put to the Conference, and adopted.

The President.—The Secretary will please read the note and paragraph (*c*), Article —.

The note and paragraph (*c*), Article —, are as follows:—

"NOTE.—The following subsections (*c*) and (*d*) and (*e*) of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea attached to any vessel in motion.

"(*c.*) All vessels under steam, when engaged in trawling, having their trawls in the water and not being stationary, in consequence of their gear getting fast to a rock or other obstruction, shall carry on or in front of the foremast, and in the same position as the white light which other steam-ships are required to carry, a lantern showing a white light ahead, a green light on the starboard side, and a red light on the port side, such lantern to be so constructed, fitted, and arranged as to show an unbroken white light over an arc of the horizon of four points of the compass, an unbroken green light over an arc of the horizon of ten points of the compass, and an unbroken red light over an arc of the horizon of ten points of the compass; and it shall be so fixed as to show the white light from right ahead to two points on the bow on each side of the vessel, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side. Such vessels shall also carry a white light in a lantern so constructed as to show a clear and unbroken light all around the horizon, the lantern containing such white light to be carried lower than the lantern showing the green, white, and red lights as aforesaid, so, however, that the actual distance between them shall not be less than 6 feet nor more than 12 feet."

Mr. Hall (Great Britain).—Mr. President, the word "globular" was struck out at the last session, and the word "and" in the next line, so that it will read:—

"Such vessels shall also carry a white light in a lantern so constructed as to show a clear and unbroken light all around the horizon," &c.

The President.—If there be no objection the word "globular" and the word "and" will be erased.

Mr. Verney (Siam).—Mr. President, may I call the attention of the Committee to a most wonderful phenomenon which some of these gentlemen seem to have discovered, namely, at the bottom of the page where it says:—

"The following subsections of this Article only apply to vessels engaged in trawl-fishing, by which is meant the dragging of an apparatus along the bottom of the sea attached to any vessel in motion."

I think I may say that the bottom of the sea attached to any vessel in motion is a wonderful phenomenon.

Mr. Hall (Great Britain).—Mr. President, may I state to the Delegate from Siam that this matter has already been noted for collocation? I did not think it worth while to take up the time of the Conference in discussing it, as it is clearly an error in verbiage, and can easily be put right in the Collocation Committee.

Captain Richard (France).—Mr. President, I must ask the Conference's pardon for so frequently criticizing the work of the Committee, but I would like to know what is the use of that little apparatus which is to show a white light, a green and a red light, and which is to be placed forward of the fore-mast. I suppose that its object is to indicate the course of the vessel, but in case of rolling and pitching, now the red, now the white, and now the green will be seen, or else the green, white, or red in succession without its being possible to determine the course of the vessel which is in sight.

I think that it must be an old idea of the Board of Trade, which, having found it unable to effect its adoption, have made us a present of it.

On the other hand, you have divided the trawling-vessels into two categories. This I consider wrong. It is more important upon fishing-grounds to know the nature of the vessel which you are approaching than her tonnage. Why not include these two categories in one? The white light has been adopted in the North Sea by the trawling-vessels of every class themselves, notwithstanding all that may have been done to divert them from it. In order to cover up your powerlessness you give them this little apparatus of more than doubtful efficiency, and you also leave them the flare-up. Why not leave them freely the white light which has been adopted by the Dutch, Belgian, and finally the English trawling-vessels in the North Sea, of every description? I know very well what objection you will raise, that if you give this light to trawling-vessels you will be unable to distinguish them from pilot-vessels, and even in some countries from ordinary fishing-vessels.

Mr. Verbrugghe (Belgium).—Mr. President, I think that it will be difficult to include under the same definition the steam-trawler and the sailing-trawler, for the reason which I have already explained, that they are not in the same condition. The steam-trawler should be given a distinctive light. As to the nature of that light, I am absolutely indifferent. I think that whatever lights be given it is absolutely necessary to be able to distinguish a steam trawling-vessel from a sail trawling-vessel.

Captain Donner (Germany).—Mr. President, I want to say that I am of the same opinion, that it will be absolutely necessary to make a distinction between the steam-trawler and the sailing-trawler. I will add that I am not in any way enchanted with this particular lantern. I dare say that it is not the perfection of light, but we have accepted this because our few fishermen are obliged to fish in the midst of the English fishing fleet, and so we are obliged to carry the same lights as the English fishermen.

Captain Richard (France).—Mr. President, the proposition of Captain Donner can easily be reconciled with mine, namely, to send the Article before the Committee, to make its Report as soon as it thinks proper. That is the business of the Committee, not ours.

Captain Mensing (Germany).—Mr. President, I would like to ask for information from the Committee. I have been unable to understand how this lantern is to work. It says that it shall show a white light ahead, a green light on the starboard side, and a red light on the port side. How are you going to see that it is a steam-trawler? If you are on the port side, you do not see anything but the red light; if you are on the starboard side, you do not see anything but the green light; and from right ahead you see only the white light, with a light underneath it. Now, this is the proposition that was made by Delegate Hall, and it so happens that this was the only proposition which we had to throw out on account of principle, in the Committee on Lights. It is not very difficult to divide a lantern in this way; but I would see the green light on the starboard side with a white light underneath it, and I might very easily take it for any other ship. The light seen from right ahead will look very much like a drift-net vessel.

Mr. Verbrugghe (Belgium).—Mr. President, I only wish to make one remark. I agree with the difficulty which has been pointed out; but I will state that this light cannot be mistaken for a drift-net light, because in the case of a trawler they are vertical lights, and in the case of a drift-net light they are not.

Captain Mensing (Germany).—I would like to ask whether that is so when they are seen from right ahead?

Mr. Verbrugghe (Belgium).—It may not be, when they are seen in some directions.

Mr. Hall (Great Britain).—Mr. President, may I point out that, as a matter of fact, this light, with regard to which doubts are expressed by gentlemen who have had no opportunity to see them, has, I am informed, been carried and used by steam-trawlers ever since they began, practically since 1884. Our vessels use them, and they find them a very good light.

Admiral Bowden-Smith (Great Britain).—Mr. President, I never saw those lights. I don't know anything about them.

Captain Richard (France).—Mr. President, I think that we might perhaps do better to send the Article to the Committee, with the request to endeavour to find a better and more distinct light. I think that this one has many inconveniences. I think that after this discussion it would be well to leave it to their judgment to find something more practical than this lantern, which, notwithstanding the declaration of the honourable Delegate of Great Britain that it had been introduced in 1884, never was applied. I am so assured by our officers who superintend the fisheries in the North Sea. You know that the fisheries in the North Sea have a separate establishment. The Contracting Powers have war-vessels to superintend the fishing-boats, and they can observe how the Rules are carried out in practice.

Captain Donner (Germany).—Mr. President, I dare say it will be very difficult for the Committee to make a new law for the steam-trawlers, before we actually know how the Rules of the Road shall be observed by the steam-trawlers. If the Conference is of the opinion that the steam-trawler shall get out of the way of all sailing-vessels and be just the same as all other steamers, then, in my opinion, it is not necessary to give her any distinguishing light. But it will be necessary, if a steam-trawler is

to be an exception in any way from an ordinary steamer, to give her some distinctive light. I therefore move that we finish this matter before we finish the discussion of the Rules of the Road for fishing-vessels, trawlers, &c.

The President.—The question is upon the motion of the Delegate from France.

Captain Richard (France).—Mr. President, I would suggest sending the Article before the Committee for fuller consideration. If they cannot give us anything better, we will accept this one; but if they can give us something better, we will willingly accept it.

Admiral Bowden-Smith (Great Britain).—Mr. President, I desire to ask for information. I was very much surprised at something which was said just now. I remember some months ago when I was on duty at the Board of Trade a light was proposed for seagoing steamers, and the objection was then made that the more visible light, the white light, would possibly overshadow and put out the other light. I knew that these lights had been introduced in 1884 and 1885 for trawlers, and I asked for information as to how they had been reported on, and I could not get an answer. I should like to hear very much now, from somebody who has really seen these lights, whether they are getting good results from them. Our First Delegate has spoken about them, but I do not believe he has seen them himself.

The President.—The proposition of the Delegate from France will now be read. His proposition is that this paragraph shall be referred back to the Committee, that they may find, if possible, a more suitable light for these vessels.

Is the Conference ready for the question?

Admiral Nares (Great Britain).—Mr. President, may I say a word, as one member of the Committee to which this matter will be referred? If you refer it to us, where are we going to get evidence about the lights? The only evidence that we can refer to is the English laws under which these lights have been carried, and to the practice in the various Northern Powers fishing north of Cape Finisterre.

[Cries of "No, no!"]

You see I must circumscribe myself still further.

We have only to refer to the English laws which have been carried out, as the Conference has been informed, since the 30th December, 1884. We were asked just now for evidence that these lights had been used. I will reply to that by saying that there is no evidence to the contrary. There has been no complaint. The light has been used ever since that time and not a word of complaint has been heard in regard to it. These steamers trawling are a great nuisance to other fishing-boats, and you must give them a distinctive light. The light which we have given them is a very distinctive light; and now, practically, every fishing-vessel knows when one of these robbers, as they call them, is coming, and they take care to show their distinctive light to them to make them keep out of the way. Another point is, that it is of very great importance to all seagoing vessels navigating these seas to know, by the distinctive light on a vessel, that there is a net attached to her. What I got up to say is, that it will be very difficult for the Committee to choose any other light. I believe that no evidence can be brought before them from this country, and there is very little evidence in regard to the matter from any other country, except from the North Sea Powers. If no one can suggest a better light, then why not keep this one, at all events for the present, which has been in use for the last five years, and which has given satisfaction.

Captain Richard (France).—Mr. President, I desire to state to the Conference that the assertion made by the gallant Admiral, Sir George Nares, that all nations had adopted the British Rule concerning trawling-vessels, is absolutely erroneous. I request you to read the Rules adopted in 1884, relating to fishing-vessels on European coasts north of Cape Finisterre, which have been handed us, and you will find nothing referring to trawling-vessels. Those Rules were adopted in 1884; since then Great Britain has made Rules of her own for her trawling-vessels, which have not been observed. We ourselves have made Rules on the same subject, which were put in force by a Ministerial Circular, dated the 3rd December, 1887, giving to trawling-vessels a system of lights similar to that given to the Belgian, Dutch, Danish, and German trawlers. I do not think that the argument adduced for adopting this light is a good one; but perhaps it would be difficult to find a better one. This is why I propose to send the Article before the Committee, and let the Committee tell us whether we can have anything better. However, it would be easy to get out of the difficulty if we kept the old lights, that is to say, the masthead-light and the flare-up, and modify the lights of the pilot-boats.

Mr. Hall (Great Britain).—Mr. President, the gallant Delegate from France has pointed out at the close of his remarks what the real difficulty is; but if we adopt his suggestion we shall not be able to distinguish trawlers from pilot-vessels, and the Committee will be just in the same difficulty if we send it back to them. Now, how does the matter stand? Here is the Report of the Committee. We find a very strong contingent of the Representatives of the Powers which are particularly affected by this Rule, the North Sea Powers, as members of this Committee, the Delegate from Belgium, the Delegate from France, and the Delegate from the Netherlands, and the Delegate from Great Britain. I think that this is a pretty strong representative body of the North Sea Powers, besides which, they have had the very able assistance of the Delegate from China, who is an authority upon fishing matters, and also of the Delegate from Japan, and the Delegate from the United States, who is also well aware of the difficulties with regard to fishing-vessels in general.

I quite agree that if there were any definite proposal made for the Committee to consider, it might be advisable, if we do not like their Report, to ask them to reconsider it. But what is the fault found with this Report? It is, as far as I can make it out, that the gallant Delegate from France has had a Report from one of his gun-boats in the North Sea, which says that these lights are not generally used. I confess that this is hardly a reason for saying that the Committee are wrong in proposing the adoption of a distinctive light. I think that it is most desirable that steam-trawlers should carry a distinctive light, so that other trawlers should know where they are, and what they are doing. That is the object, I apprehend. There is no question here as to whether or not steam-trawlers are to obey the ordinary Rules of the Road at sea. But at present the Committee have found a light, and have

reported in favour of that light. I do not think it has been suggested that there was any serious dispute in the Committee as to the adoption of this light. If not, how can we send back to the Committee and say that we are dissatisfied with their Report? I know that the gallant Delegate from France must see the great difficulty there is in supporting the adoption of the white light and the flare-up light, and I am certain the Committee will be still stronger of that opinion, now that they have his valuable views pointing out those difficulties.

Admiral Nares (Great Britain).—Mr. President, I will say one word more. When the steam-trawlers came into vogue it was necessary to find a distinctive light, and the light mentioned here is the light which was chosen. At the same time the Board of Trade and the Admiralty agreed that the distinctive light for the sailing-trawler was not quite as good as it might be. But to make quite certain of a distinction between the steam-trawler and the sailing-trawler they gave the sailing-trawler a red and green masthead-light, with a white light underneath. The whole trade was so up in arms so that we had to reconsider this matter, although not one word of fault was found with the light for steam-trawlers. You will find that these lights had to be reconsidered, and another Order in Council had to be passed on the 24th June, 1885. That Order in Council does not alter the steam-trawler's light at all; but it gives a different light to the sailing-trawler. So that the gentlemen of the Conference will see that there was a complaint on the one hand about the sailing-trawlers, but practically the steam-trawlers were quite satisfied with the light given to them; and the whole fishing fleet were also satisfied.

Captain Mensing (Germany).—Mr. President, the gallant Delegate who spoke before me mentioned that when the steam-trawlers came into use it was considered a necessity to provide for them a proper light. Now, it is just on this account that I would like to have this matter referred back to the Committee; I would like to see adopted the proposition made by Germany, in which all of these Rules of the Road for fishermen are laid down. It is stated that a steam-trawler should get out of the way of any other vessel just as if she were an ordinary steamer. I do not see to what other conclusion we can come, because the principle has been already adopted when this Conference decided that steamers having others in tow should get out of the way, or should be subordinated to the Rules for steam-vessels. Now, if a steam-trawler should get out of the way of any other vessel just like an ordinary steamer, I do not see any reason whatever for giving her a distinctive light. It would make more complicated our system of Rules, and would bring no advantage whatever.

Mr. Hall (Great Britain).—Mr. President, I must confess that this is the first time I have heard it suggested that there was any objection whatever to a steam-trawler having a distinctive light. It is important to other trawlers in the vicinity to know that a steam-vessel is trawling. They want to know where she is. I apprehend that there never was any dispute as to the question that a steam-trawler should have a distinctive light, and no other is proposed but the one suggested by the Committee. If there is no other light suggested, why should we send it back to the Committee?

The President.—The question is upon the motion of the Delegate from France to refer this matter back to the Committee in order that it may make a Report on some other light.

The motion of the Delegate from France was put to the Conference, and lost.

The President.—The question now is upon paragraph (*c*), Article —, which has been read as corrected.

The question was put to the Conference upon paragraph (*c*), Article —, and carried.

The President.—The Secretary will please read a notice for the information of the Conference.

The Secretary.—In reply to the request of the Committee on Lights, the Lighthouse Board have submitted a Report upon the experiments regarding the candle-power required to have a white light visible 5 miles, and a red and green light visible 2 miles.

The President.—The Report will be referred to the Committee on Lights.

The Conference thereupon adjourned until Tuesday, the 26th November, at 11 o'clock A.M.

Washington, Tuesday November 26, 1889, 11 *o'clock* A.M.

THE Conference was called to order at 11 o'clock A.M., Rear Admiral Franklin in the Chair.

The President.—The Chair desires to state that the Delegate from Guatemala, Mr. Fernando Cruz, and the Delegate from Honduras, Dr. Don Jeronimo Zelaya, have appeared at the Conference this morning and taken their seats.

If there are any amendments to be proposed they are now in order.

Mr. Goodrich (United States).—Mr. President, I propose the following new Rule:

The President.—The Secretary will please read the proposed Rule.

The proposed new Rule is as follows:—

"In every case of a collision between two vessels, it shall be the duty of the master or person in charge of each vessel, and, so far as he can do so without danger to his own vessel, crew, and passengers, if any, to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers, if any, such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry or the port or place to which she belongs, and also the names of the ports and places from which or to which she is bound. If he fails to do so, and no reasonable cause for such failure is shown, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default."

The President.—The amendment will be printed and laid over for future consideration.

Mr. Verbrugghe (Belgium).—Mr. President, I regret that Mr. Kimball, the Chairman of the Committee on General Division No. V, is not here. We have just considered that very matter, and almost in the same words in which it has been proposed by Mr. Goodrich, the Delegate from the United States. I suggest that it be referred to our Committee.

Mr. Goodrich (United States).—Mr. President, I suggest that that would not answer the purpose for which this Rule is designed. If there is to be such a Rule, it ought to be put where the sailor can find it, in the Regulations for preventing collisions at sea.

The President.—This subject cannot be discussed now, according to the Rules. It must be laid over for printing, without discussion.

Mr. Goodrich (United States).—Mr. President, I am speaking now to the motion of the honourable Delegate from Belgium. I would say that this question has been taken bodily from the 35th Victoria. I may also state that it is a very valuable Statute, and I think it desirable that it should be included in the Rules of the Road.

Mr. Hall (Great Britain).—Mr. President, of course I am speaking without having had due time for the consideration of this subject, because I was not aware that this was going to be introduced. But I must say that, so far as I can see at present, I think it is very desirable that this matter should be discussed, and, if necessary, should take its place in the Rules for preventing collisions at sea.

I do not wish for one moment to entrench upon the duties of the Committee of which the learned Delegate from Belgium is so distinguished a member; but, of course, we must look at the practical results. I am sure that the honourable Delegate from Belgium will see that, so far as we are able to entertain any opinion on the subject, the Rules of the Road at sea, after leaving this Conference, will probably—I do not say more than that—be adopted by the Maritime Powers. They will come into existence and be put into the hands of every mariner. If so, and if we are all agreed that this is a most desirable proposition, of which I think there is practically no doubt whatever, I am certain that the honourable Delegate from Belgium will agree with me that it ought to be brought to the notice of every mariner in the simplest possible way. I think he will agree with us that it ought to be inserted in the Rules of the Road at sea. I have no doubt he will fully and carefully consider that point, and then we will be able to discuss it.

Captain Richard (France).—Mr. President, I desire to add something to what has been said by our honourable colleague, Mr. Verbrugghe, the Delegate from Belgium, that in the Committee on Life-Saving Appliances we unanimously recommended the adoption by the Governments represented at the Conference of the measures necessary to arrive at the results proposed by the learned Delegate of the United States; and I need hardly add that our recommendation is made in almost exactly the same terms as those of the amendment which he proposes. But, as the maritime laws differ on this point, and in certain countries no law has been passed on that subject, I think it would be bad to insert it into the Rules of the Road at sea, which are especially framed for the purpose of furnishing the mariner with a text, the first object of which is to regulate his conduct on his vessel at sea, and which fail to provide the necessary penalty for an inhuman act. This is why I would ask the British Delegates to kindly make some concessions on this point, because they can appreciate the difficulties which lie in the way of making the Rule legal and binding in our various countries, by reason of the difficulties and delays of legislation.

Mr. Hall (Great Britain).—Mr. President, I did not intend to discuss this at length now, because the Resolution, no doubt, will be printed and will be submitted to us. I have no doubt that the learned Delegate of the United States will take into consideration the remarks which have just been addressed to us by the gallant Delegate from France, and we shall be able to consider fully what the objections are to the proposal, especially after what has been pointed out to us with regard to the difficulty of legislative proceedings in some countries. That is a matter which he will see requires great consideration before we come to a decision upon this matter. I want to say, at once, that if it can be done, I should like very much to see this in the Rules; but, of course, if there are objections pointed out which would render such a proceeding difficult, I think we should discuss it very carefully before coming to any conclusion about the matter.

Mr. Goodrich (United States).—Mr. President, I may say that I have purposely left out of the amendment which I have proposed the portion of the Act of the 35th Victoria which provides for penalties, because, doubtless, when this Report of the Conference shall be presented to the different nations, they will adopt legislation, perhaps, of a penal character to enforce obedience to the general Regulations. There is, however, in the Resolution itself a provision which is in the nature of a punishment for disobedience to its provisions, namely, that a failure to obey the Rule is, *primâ facie*, or presumptively, evidence of fault in the vessel which refuses to obey it. That is in the nature of a penalty which will probably enforce obedience to this Resolution, if the Conference should adopt it.

Lieutenant Scaone (Spain).—Mr. President, I desire to present an amendment to the Rules of the Road.

The President.—The amendment of the Delegate from Spain will be read.

The amendment is as follows:—

"All vessels under way shall keep out of the way of coupled steamers engaged in trawling."

The President.—The amendment will be printed for future consideration. If there are any other amendments they are now in order.

Captain Shackford (United States).—Mr. President, on the 11th November I offered extra amendment No. 32, which was afterwards amended by an amendment offered by the Delegate from China, extra amendment No. 34. Extra amendment No. 32 applied only to one class of vessels; extra

amendment No. 34 extended it to all classes. The first amendment gave permission to carry a light only at the masthead, which would practically bar out entirely a great many vessels from using these lights. I ask permission to reopen the subject on these two amendments, and substitute one other which has been prepared with great care by the British and United States' naval officers. The proposed new amendment is exactly the same in principle, and, like the other, is only permissive. If the Rule is changed the vessel may use the system which, under the Rule as it now stands, is confined to one class. I therefore ask permission to offer a new amendment.

The President.—It will be printed.

The amendment is as follows :—

"All steamers under way may carry an additional white light similar to the present light mentioned in Article 3 (*a*). These lights must be so placed, in line with the keel, that one must be at least 20 feet higher than the other and should be in such a position with reference to each other that the lower light should be forward of the upper one, and for a vertical distance of 20 feet between them there should be a horizontal distance of 30 feet, or in the proportion of two to three as near as practicable."

Mr. Hall (Great Britain).—Mr. President, I may say that we are very anxious, indeed, that this matter should be brought forward again, because it has been pointed out to us, especially by the distinguished officer of the United States' Service, that this is absolutely necessary, and that the proposal as adopted by the Conference would practically put an end to the use of this light by a great many vessels. I would point out that it will be necessary to formally take a three-fourths vote of the Conference in order to reopen this matter, it having been considered and finally dealt with. I should support such a motion, and I have no doubt that all of us would.

Mr. Goodrich (United States).—Mr. President, I move, on behalf of the gentleman who makes the proposition, that the Conference receive this amendment for discussion.

The President.—Your proposition is to take a three-fourths vote as to whether it shall be received or not for future discussion?

The question as to whether this amendment should be received for future discussion was put to the Conference, and carried.

The President.—If there are no further amendments, and the Chair hears none, the first order of business will be extra amendment No. 55. It follows paragraph (*c*), and will come in before paragraph (*d*) in Article —.

Extra amendment No. 55, to follow paragraph (*c*), Article —, is as follows :—

"It is finally understood and agreed that nothing in this Article concerning the lights to be carried and shown by fishing-vessels and boats when actually engaged in fishing shall prevent the Government of any maritime country from making Regulations as to the lights to be carried and shown, and the signals to be made by fishing-vessels and boats actually engaged in fishing in the territorial waters of any such State, nor shall it prevent two or more Maritime States bordering any seas or waters in which boats and vessels of those States fish in common from mutually agreeing and expressing Regulations as to lights to be carried and shown, and signals to be made, by such boats or vessels when engaged in fishing in such waters."

Captain Hubert (the Netherlands).—Mr. President, I believe there are very few regions in the world where so many fishermen and of so many different nations carry on their business as in the North Sea. All the different ways of fishing—trawling, drift-net, line-fishing—are carried on, wherefore special Rules are prescribed. When a steamer or a sailing-ship sees a white light she has to go out of the way of it, and she does not ask how they are fishing, for I believe there are many seamen who know nothing about it. It is, however, necessary that fishermen among each other should distinguish a trawler from a drift-net or a line fisher, hence special Rules are necessary in these waters to prevent collisions and damages to fishing gear. The Convention to be held at the Hague, where the interests of these fishermen will be discussed, has been postponed till after this Conference adjourns.

Mr. Goodrich (United States).—Mr. President, at first consideration it does not strike me that this is a proper Article to be put into an International Code. There is a provision that these Rules shall not interfere with the Rules passed by any Power for the government of vessels within its local waters. As I read the first part of this proposition it simply permits any maritime country to make Regulations as to the lights for boats fishing in territorial waters of that State. It seems to me that is an unnecessary provision in these general Rules, because you are thereby changing the character of these International Rules and making them somewhat local in their character. You are adding a provision which is unnecessary, because the Conference has already adopted a general provision, Article 25, that nothing in these Rules shall interfere with the operation of special Rules duly made by local authorities relative to the navigation of any harbour, river, or inland water.

The second objection which I have to the Resolution is this, I merely present these matters for the consideration of the Conference, and for the consideration, as well, of the Delegate from the Netherlands: This amendment provides that it shall not prevent two or more Maritime States bordering upon the seas and waters in which the boats and vessels of these States fish in common from mutually agreeing and expressing Regulations as to lights to be carried and shown and signals to be made by such boats or vessels when engaged in fishing in such waters. To what kind of waters does that refer? Does it refer to seas like the North Sea, which are entirely bounded by different nations, and over which they shall attempt to pass Regulations interfering with these general Rules? These nations have no power over these waters any more than other maritime nations. They are, in one sense, adjacent to these countries; but because they lie adjacent to maritime countries bordering upon

them, such Powers have no more authority over these open seas than any other nations. I think that this is trying to establish a principle which is improper in an International Regulation.

I should have no objection, provided the principle adopted in such a Rule is passed at all, if there were inserted after the word "common," in the third line from the bottom, apt words to show that it meant that the amendment referred to waters which were purely territorial, as, for instance, if you were to say: "Nor shall it prevent two or more Maritime States, bordering on any seas or waters in which boats and vessels of those States fish in common, and which are wholly within the territory of one or both of such States." In other words, it is the same provision, if you add these words, and it confers the same powers that have already been conferred by Article 25. But it seems to me to be a wrong principle to put into these International Rules local Rules for local waters.

Dr. Sieveking (Germany).—Mr. President, as to the first part of this amendment which is under discussion, I beg to fully indorse what has been said by the learned Delegate from the United States. It reserves, as it were, the exercise of sovereign power over territorial waters. That is the very thing which is expressed in Article 25 of the present Rule, and I do not see any reason why we should repeat what is there said very concisely and very clearly. This is evidently superfluous.

There remains the second part of the amendment, which intends to provide that two or more States bordering upon any sea shall not be prevented by the Rules from coming to an understanding among themselves about the lights or signals to be shown by other vessels or the vessels belonging to those States. Now that is also quite superfluous, because from the standpoint of the law it is already well understood. If these Rules were laid down in an International Treaty, then of course it would follow that the Governments which are parties to this Treaty would not be able to change them. Not a bit of them could be altered without the consent of all the Governments, unless it were provided that alterations by a majority in some exceptional cases were to be allowed without the consent of all Contracting Parties. But it has never been mentioned, and has never been intended, and will not be intended, that these Rules are to come into force in the way of an international contract between the Governments.

The legislative authority of these Rules rests upon the sovereign power of each Government. They are uniform laws, but they are not contained in an International Treaty. From this it follows that, theoretically, each Government remains at liberty to change the law for its own vessels—there is nothing, theoretically, to prevent the Government or the legislative power of any single State from altering the Rules as to the vessels belonging to that State, and, in fact, that has been the case under the present Rules. You see a striking example of that in Article 10. If you will be kind enough to look at the Report of the Committee where it is shown what are the differences in legislation between the different nations, you will see that under Article 10 there is a great difference in the different countries. That will always remain so. Therefore, if every Government is at liberty to change the Rules as to its own vessels, theoretically—of course it will not be done practically unless it is absolutely necessary—there is nothing in the way of two or three or four or five of the Governments saying, we will agree upon such and such alterations in the Rules, for example, that our fishing-vessels in the North Sea shall carry such and such lights. Four or five of the North Sea Powers might say, we will alter the Rules so that, instead of Article 10, Article so and so is to apply to our fishing-vessels. I think this is merely cumbering the Rules with a proviso which is already self-understood and I do not think it is necessary to make the Rules more complicated than they already are.

Mr. Goodrich (United States).—Mr. President, allow me to say another word about this matter. The effect of the proposal contained in this amendment is to neutralize all the other Regulations of the Code. In other words, the Maritime Powers which are pointed at in this amendment can give an entirely different set of lights for waters which are navigated by the vessels of other nations, and such Regulations may be entirely unknown to the world at large. There is no method of publishing them. Besides this, it is a very difficult matter. Suppose there were four Powers bordering a great sea, and two or three of them should agree with regard to certain lights, while the other one should protest and desire to stand on the Regulations of the Code; who is to decide the question? The three Powers, and so govern the world? It is a very dangerous proposition. Supplementing what the learned Delegate from Germany has said, I will state that there is a marked difference in the situation. The Rules which he refers to were the Rules adopted by England in 1863 and 1879, and subsequently adopted by other Powers *de novo*. The situation with the Report of this Conference is entirely different. We represent many nations, and we are presenting a Code of Rules for their adoption, and when adopted it doubtless will be adopted without any change. So it will become the universal law of the sea. Now, this a very dangerous proposition, it strikes me, and I suggest to the Delegate from the Netherlands whether it is right to make an agreement of this kind over waters which are not within the territorial limits of either of the Great Powers.

Mr. Hall (Great Britain).—I think that all of us who have heard the very weighty reasons which have been given by the learned Delegate of the United States and the learned Delegate from Germany will see that these words which have been proposed have been proposed with a very praiseworthy motive, and that is, excessive caution. They have been proposed in order to prevent the possibility of its being urged that by coming to these International Rules we have done something to prevent the States bordering upon waters from making Rules especially for those local waters. I think, as has been pointed out by my learned friend, the Delegate from Germany, no such apprehension need exist. The only reason why it may, possibly, be desirable that there should be such a limitation is this: Of course, if any State wishes to make further alterations with regard to local waters it will be necessary for her to give notice to all the other States who have adopted these laws that she no longer intends to abide by them, or that she finds it necessary to make a particular change, and, so far as I can judge, she will not be able to make that change without formally renouncing her adhesion to the International Rules or a limited portion of them. Therefore, the adoption of some such Rule as this would leave it open to her to still be bound by all these International Rules with the exception of the one with regard

to the waters in which she is especially interested. But I think, having regard to the difficulties of the case, and especially having regard to the reasons pointed out here this morning, that it will not, perhaps, be necessary to press this amendment. I think that what is really intended to be gained by this amendment is open to every Power at the present time. If so, I quite agree with the learned Delegate of the United States that it is not necessary to put it into the Rules, because it clearly would be mere surplusage. I hope the honourable Delegate will not think it necessary to press the amendment.

Captain Richard (France).—Mr. President, I think that we should ask our honourable colleagues, the Delegates from the Netherlands, to kindly withdraw their amendment. The first part, as has very properly been said by the honourable Delegates of the United States, of Germany, and of Great Britain, is evidently useless, because it only proclaims an indisputable sovereign right. In regard to the second part, I do not think that we can admit it, or that we should discuss it. Is it not a fact that the right which the amendment claims could not exist except in closed seas, where the Rule could be agreed upon between the Powers on their borders? But as regards seas open to international navigation, I do not think that it will be possible to take into consideration a proposition which evidently disagrees with international law. I, therefore, hope that our honourable colleagues, the Delegates of the Netherlands, will render service to the Conference by withdrawing their amendment, and not force us to make a decision in regard to it.

Captain Hubert (the Netherlands).—Mr. President, I will withdraw my amendment.

The President.—The Delegate from the Netherlands desires to withdraw his amendment. If there is no objection it will be so ordered. The next amendment in order will be that proposed by the Delegate from Italy, extra amendment No. 57, which will be read by the Secretary.

Extra amendment No. 57 is as follows:—

"All sailing-vessels of 5 tons gross tonnage and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry, from sunset to sunrise, a white light in a lantern so constructed as to show a clear and unbroken light all around the horizon."

Captain Settembrini (Italy).—Mr. President, when the Report of the Committee on Lights for Small Craft came before the Conference for consideration I did not have an opportunity to make the few remarks which I now offer on paragraph (*d*), Article 10. Allow me to premise a little history. I shall not be long. Shortly after the month of April 1880, Great Britain published the Rules for avoiding collisions at sea, having previously combined with the principal Naval Powers; but in Italy the adoption of Article 10 met with serious difficulty with regard to the lights which fishing-boats were obliged to carry. Those difficulties were communicated to Great Britain, and it was agreed to delay for one year the adoption of Article 10, and to use, as a substitute for it, Article 9 of the old Rules. However, this period of time was not enough to settle the question with regard to these lights, and therefore, always in accordance with the British Government, the adoption of Article 10 was adjourned for another year by a Royal Decree of the 19th October, 1881. As, after this second adjournment, it was not found possible to adopt other Rules of easy application to our waters, it was resolved to abolish altogether for Italy, Article 10, and to substitute for it Article 9.

In the meantime the British Government appointed a Committee for the purpose of considering this question, and for formulating another Article 10. The Resolutions and conclusions arrived at by that Committee were carefully examined by the Italian Government, and, after a few remarks about the decked fishing-boats of Chioggia, which is a town in the Adriatic, very close to Venice, where boats are numerous which cannot carry the side-lights, it was concluded to be convenient to divide Article 10 into two parts. The first part was of easy and general application, and relieved the fishing-boats of less than 20 tons gross tonnage, and the open fishing-boats, from carrying side-lights when under way with or without nets. But it was prescribed (1) that they were to have ready at hand a lantern with a green glass on the one side, and a red glass on the other side, and that such a light was to be exhibited in sufficient time to prevent collision; (2) a white light visible all around the horizon at a distance of at least 1 mile to be exhibited between sunset and sunrise when at anchor; (3) flare-up lights when engaged in trawling; (4) and, finally, to ring the bell or sound the fog-horn alternately during a fog when engaged in fishing with nets or lines. The second part applied to fishing-vessels to the north of Cape Finisterre.

Now, the first part of the Rule was thought to be convenient, and it was considered that it could be easily carried out, and therefore it was adopted. No complaint has ever been made by the numerous fishing-boats of Italy. But it is my opinion that some difficulties will arise if we shall oblige them to carry a sufficient supply of red pyrotechnic light which shall burn at least thirty seconds, as has been proposed by the Committee on Lights for Small Crafts, in subsection (*d*) of their elaborate Report. The greatest number of fishermen are hard-working, but very poor people; and if we consider that in a night they may be compelled to burn a dozen or a dozen and a-half of these red pyrotechnic lights, which may cost 3 or 4 dollars or more, when they can earn only 10 cents, would it not be rather too much to impose upon them to require them to carry such expensive lights? On the other hand, these lights are, as some say, dangerous and very easily spoiled by dampness and wet. On small boats there is scarcely room to stow them away in a safe and dry place. It may often be the case that when they are required they will be useless. France, Austria, and Spain, in the Mediterranean, are also in the same condition.

For these reasons I think that it is not advisable to adopt the red pyrotechnic or any other pyrotechnic light, in addition to the white light to be visible all around the horizon, as provided in subsection (*d*) of the Report of the Committee on Lights for Small Crafts. I therefore propose that this subsection (*d*) should be stricken from the Report. What I have just said is not a new proposal or

a difficult amendment which requires study. I am sure that every member in this assembly already understands this question, and I move that my proposal be submitted to a vote of the Conference.

The President.—Is the Conference ready for the question? The amendment will be read again for the information of the Conference.

The amendment is as follows:—

"(*d.*) All sailing-vessels of 5 tons gross tonnage and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstructions, shall carry, from sunset to sunrise, a white light in a lantern so constructed as to show a clear and unbroken light all around the horizon."

Mr. Hall (Great Britain).—Mr. President, may I point out to the gallant Delegate from Italy that his object could very easily be arrived at by merely having a local Rule with regard to Italian waters, where there may be small vessels upon which it would be too onerous a burden to require them to carry this pyrotechnic light which has been provided for in the Report of the Committee on Lights for Small Craft. He will see at once that this provision is for all sailing-vessels of 5 tons gross tonnage and upwards. That will go up to 20 tons, so that it includes all sailing-vessels and all trawlers. So we must consider whether or not it is necessary that they should have a distinctive light. Of course, with regard to the Italian waters, this objection might be met by a local Rule. We could not give these small vessels in the North Sea, for instance, merely the white light, because that is the distinctive light for a pilot.

Now, one word with regard to the distinctive light. I quite agree that it is unnecessary to put in the word "red." They may be pyrotechnic lights of any colour. It was suggested the other day that the Conference had made a mistake in rejecting the proposal of the gallant Delegate from Chile with regard to the red rockets as signals of distress, and then inserting and adopting the red pyrotechnic light here. These are not red rockets. They are the ordinary pyrotechnic lights, and with regard to the use of them I would say that our fishing Rules require all of our sailing-vessels engaged in trawling to have and to use these pyrotechnic lights, and they have been obliged to do so since the date of the last Order in Council. This light is permissive in this sense, that if they do not carry the other light, which is the lantern showing red and green, it is imperative for them to carry the pyrotechnic light. They must carry one or the other. This was a concession to our fishermen. They objected to having to carry the red and green lanterns, so our Board of Trade endeavoured to meet the desires of the fishermen, and said: "If you do not like to carry the red and green lanterns you must have pyrotechnic lights on board, and you must burn one when a vessel is approaching you." So far as we know that was accepted by the fishermen, and there has been no remonstrance made with regard to the use of this light.

I think I may say that the English fishermen are as ready to cry out as any other fishermen if they do not like a Regulation. They are very ready to make a remonstrance to our Board of Trade, because they know that the Board is always ready to consider any grievance which they may have, and to relieve it as far as possible. This Rule has been in force for a considerable time, and, so far as we know, no complaint has been made. May I suggest that, with regard to Italian waters, or the waters of any other Power on the Mediterranean, the different nations may make their local Rules, and they can always deal with that question, if they desire, by their own local Rules. They have the power to do that by the existing law; but that is no reason why the general International Rules should be interfered with if the majority of the Powers represented are of the opinion that the provisions of the Committee are provisions which it would be well to adhere to. I would venture to say that the Committee has considered this matter very carefully in order to show what vessels are trawling, and to give warning to vessels approaching them at night.

Captain Richard (France).—Mr. President, our learned colleague of Great Britain, with that great talent which distinguishes him, opposes the motion of the gallant Delegate of Italy with all the adroitness and skill which can be honourably put in practice in behalf of a bad cause. The Rules which we are now discussing were framed in such manner that the moment you take something away from them you meet with a difficulty so serious as to weaken your entire edifice which you have so laboriously constructed. The red pyrotechnic light, according to the paragraph now under discussion, is a distinctive mark of trawling-vessels, from which they cannot exempt themselves.

The learned Delegate of Great Britain has told us that the British trawlers have adopted them, and have never made any complaint, but the learned Dr. Donner has justly remarked that the use of these fireworks was permissive and not obligatory. They, therefore, have permission not to use them, and if they do not use them I do not see how the Rule could seem inconvenient to them. Here the Rule is not one which can be observed or neglected at the will of the interested parties. All the trawlers are compelled to use the pyrotechnic light. After a careful scrutiny I discover but a single advantage in it. In the amendment presented by the honourable Dr. Sieveking, all sailing-vessels are to give way to all trawling-vessels. But the latter, on the other hand, must not obstruct the fair-ways.

It is very certain that if you compel them to spend so much money for the pyrotechnic lights, for every vessel which approaches them, they will carefully, as a measure of economy, keep away from every fair-way where they can possibly meet vessels, and they will, in fact, leave frequented passages open unless they decide to neglect your Rules. You cannot force ordinary fishing-boats to have this pyrotechnic light, and as there is no other mark to distinguish trawling-vessels from pilot-boats, you fall back upon similar lights on pilot-boats the moment you suppress the red pyrotechnic lights. Then you will again have to submit to the Conference the question whether trawling-vessels should retain an unreasonable system of lights, or whether pilot-boats should change *their* lights. This is, perhaps, an unfortunate result, but we have no other alternative. I think that we should find something to meet it. We cannot dissimulate the gravity of the subject, for otherwise, when our work shall be

terminated, the critics will say that we have neglected difficulties which were self-evident, and which should have been provided for, because their solution is demanded by everybody, and that instead we have confined ourselves, by means of marvellous feats of equilibrium, to building up a text on the most careful lines, but which practice and the interests at stake cannot respect.

Under those conditions, therefore, I will support the amendment of our gallant colleague of Italy, and I will ask that paragraph (*d*) of Article 10 be modified so as to cause the red pyrotechnic light to disappear.

Captain Sampson (United States).—Mr. President, I would like to point out that if the object of this pyrotechnic light is to distinguish between these vessels and a pilot-boat, it appears to me that it does not do so effectually, because it provides that these pyrotechnic lights shall be burned or shown to another vessel approaching in sufficient time to prevent a collision. Now, there is no particular object in exhibiting this light to a vessel approaching another vessel at that late hour, because when there is danger of collision it is of little use to know whether it is a fishing-vessel or pilot-boat. The knowledge which it is intended to secure by this amendment should be given long in advance of that time, and if these pyrotechnic lights are to be used for that purpose, fishing-vessels should be required to burn them as soon as a vessel is in sight, so as to warn such vessel that the small vessel which she sees in sight is a fishing-vessel and not a pilot-boat. It seems to me that that object is not secured by burning a pyrotechnic light, as prescribed in this Article.

Mr. Goodrich (United States). Mr. President, I perhaps ought to make a suggestion to the gallant Delegate from Italy ; to suggest to him that he has exaggerated the expense of these pyrotechnic lights. I am advised that even the well-known Coston or Payne signal can be had for a dollar a dozen. As I remember my experience as a boy, we used to buy a red and blue light which would burn for more than 30 seconds for one or two pennies. It is not an expensive means of pyrotechnic. It is a very cheap method. I did not quite understand the learned Delegate from Great Britain with regard to the Powers bordering upon the Mediterranean to make special laws for governing vessels outside of territorial waters.

Mr. Hall (Great Britain).—I was only suggesting that each nation could frame Rules for her own waters with regard to the fishing-vessels.

Captain Settembrini (Italy).—Mr. President, will you allow me to reply to the learned Delegate from the United States ? He said that the pyrotechnic lights were not expensive. As I said before, and I will repeat it now : it may often be the case that at night a boat may be compelled to burn a dozen or more of these lights. I will allow what the learned Delegate says, that the price of these lights may be 2 or 3 cents each. Well, 3 times 12 are 36 ; and a fisherman earning only half-a-franc, which is 10 cents, would therefore be at a loss.

The President.—Is the Conference ready for the question on extra amendment No. 57 ?

The question was put to the Conference upon the adoption of extra amendment No. 57.

The President.—The Chair is unable to decide

Mr. Goodrich.—I call for the Yeas and Nays.

The Yeas and Nays were then called, as follows :—

Austria-Hungary	...	...	Yea.
Belgium	...	...	Nay.
China	...	...	Yea.
Chile	...	...	Yea.
Costa Rica	...	...	Yea.
Denmark	...	...	Yea.
France	...	...	Yea.
Germany	...	...	Nay.
Great Britain	...	...	Nay.
Guatemala	...	...	Nay.
Hawaii	...	...	Yea.
Honduras	...	...	Yea.
Italy	...	...	Yea.
Japan	...	...	Yea.
Mexico	...	...	Yea.
Norway	...	...	Yea.
Portugal	...	...	Yea.
Russia	...	...	Nay.
Spain	...	...	Yea.
Sweden	...	...	Nay.
Siam	...	...	Yea.
The Netherlands	...	...	Nay.
United States	...	...	Nay.

The President.—Fifteen have voted in the affirmative and eight in the negative ; the amendment is adopted.

Mr. Goodrich (United States).—Mr. President, we are in a little confusion about this. I suppose that the amendment of the gallant Delegate from Italy having been passed, it now takes the place of subdivision (*d*) on p. 4 of the Report of the Committee on Lights for Small Craft, so that we have practically destroyed subdivision (*d*) of that Report.

Mr. Hall (Great Britain).—Mr. President, it is the same as a part of paragraph (*d*), with the addition of the words from " sunset to sunrise." Of course, Mr. President, we accept at once the vote of the Conference, but it is possible that some of the Powers, at any rate, may think it advisable to introduce some other requirement. May I point out that the result of this vote is that a sailing-trawler is not bound to carry anything but a white light.

The President.—Subsection (*d*) differs from it with regard to the distance at which the light can be seen.

Mr. Goodrich (United States).—Mr. President, I move a reconsideration of the vote by which extra amendment No. 57 was passed, and I do it largely in view of the suggestion made by the learned Delegate from Great Britain, that this gives, practically, the right of way to all sailing-vessels upwards of 5 tons which are engaged in trawling. There is a great deal of confusion in the minds of some of the Delegates as to what has been done. As I understand, this is to take the place of subdivision (*d*) on p. 4 of the Report of the Committee on Lights for Small Craft. Now, it reads in the amendment proposed by Captain Settembrini : " All sailing-vessels of 5 tons gross tonnage and upwards engaged in trawling are only to carry the ordinary white light." It seems to me that this is a very

dangerous proposition. It is changing the whole Report of this Committee. It requires the redrafting probably, and certainly a very careful examination of all the provisions of this Report and of the Rules already adopted, before we will dare to promulgate the Code, because it may be inconsistent with itself. I caution the Conference, very respectfully, that we had better consider this subject a little more carefully because, as it seems to me, we have passed this a little prematurely.

Mr. Verney (Siam).—Mr. President, may I be allowed to support this motion? I did vote in favour of this amendment just now; but there was a confusion in the Conference, and I did not quite foresee the consequences which have been pointed out by the learned Delegate from Great Britain. Having voted on the other side, I desire warmly to support the motion to reconsider.

Mr. Carter (Hawaii).—Mr. President, I would like to suggest whether, if the limit was made at 7 tons instead of 5, it would not cover all the cases of hardship to which reference has been made, and which influenced the Conference in its vote.

Captain Settembrini (Italy).—Mr. President, of course everybody wishes to have these International Rules accepted by every Power, and they ought to be so accepted. But all of the Northern Powers now are against my amendment, probably because in their seas they are accustomed to have trawlers carry the pyrotechnic lights. In Italy we do not use them, and we do not think it necessary to have them. If you make this an International Rule it is imposing an inconvenience upon them, and for this reason I desire to press my amendment.

Mr. Verney (Siam).—Mr. President, may I say one word? I supported the gallant Delegate from Italy because I represented a small Power, for whom it is extremely important that they should not have lights for fishing-vessels of a difficult character to manipulate and to carry. I cannot help thinking that possibly some arrangement may be arrived at which will carry out the purpose of the gallant Delegate from Italy while we omit the pyrotechnic light at the same time. I would suggest, therefore, whether it is not possible to do away with the pyrotechnic light, and at the same time not put ourselves into the confusion which the vote which has just been taken seems to have led us into.

Captain Settembrini (Italy).—I have no objection to that.

Mr. Carter (Hawaii).—Mr. President, the Article, as I understand it, is not now open for amendment. The motion now is to reconsider. If that motion is carried, then I propose to make a motion that the limit be put at 7 tons instead of 5 tons, which I believe meets all difficulties.

The President.—Is the Conference ready for the question on the motion to reconsider?

Captain Settembrini (Italy).—I have no objection to the limit of 7 tons.

The President.—The question now is upon the motion to reconsider extra amendment No. 57.

The question upon the motion to reconsider extra amendment No. 57 was put to the Conference, and carried.

Mr. Goodrich (United States).—Mr. President, I suggest now, in view of the possible importance which is affected by this change, and which will conflict probably with some of the other Regulations provided for in this Report of the Committee on Lights for Small Craft, that we lay this subject over until the next meeting of the Conference.

Mr. Carter (Hawaii).—Mr. President, I move that the word "seven" be substituted for the word "five" in the first part of the subsection (*d*).

Mr. Goodrich (United States).—That will make it still worse, I would suggest to the learned Delegate from Hawaii.

The President.—The Delegate from the United States made a motion to lay this matter over for future consideration.

Mr. Goodrich (United States).—Will the Chair be kind enough to give me a moment of time to consult with the gallant Delegate from Italy? Perhaps it will save time.

I was about to make a motion to lay this question upon the adoption of the amendment proposed by the gallant Delegate from Italy over until to-morrow, but I am inclined to think, after some discussion with the members, that we are ready for the proposition now. I impress upon the members the great danger of passing this amendment. It is leaving small vessels under 5 tons to show almost no light at all, and certainly only a white light. It seems to me we are getting into a position which we will very much regret. I doubt whether that proposition will be passed by the Powers, and so our whole Code goes to the wall, because if our Code is broken in one thing it is like a chain when a link is broken, the whole thing is gone. I move to substitute for extra amendment No. 7, Article —, subsection (*d*), on p. 4 of the Report of the Committee on Lights for Small Craft.

Mr. Verney (Siam.)—Mr. President, I would ask whether the Conference will not accept the first proposal of the learned Delegate from the United States to reconsider the whole question. I am in this difficulty. I could not accept the pyrotechnic lights such as they have provided for in this original Report, and I do not want to have to vote for an amendment the disadvantage of which I so clearly see. Work hastily done is almost sure to be badly done; and although it is very bold to suggest such a thing, I think that we are going to do some hasty work. I cannot help thinking that the first proposal of the learned Delegate from the United States was worthy of our serious consideration; and I venture to suggest to the Conference the Resolution which the learned Delegate proposed a few moments ago, that it should be laid over for further consideration, according to the conditions originally proposed.

Mr. Carter (Hawaii).—Mr. President, I think it better, if I may express my opinion, that it should be settled now. We have had this before us for a long time, and it has been before the Committee. The considerations urged by the gallant Delegate from Italy, I am sure, struck a chord of sympathy among all the Delegates of the Conference, especially his reference to the poor fishermen to whom he alluded. It seems to me that by putting the limit at 7 tons we shall cover the case of a great many of these vessels larger than that. I think the members of the Conference will see that when we get out on to the high seas they must be compelled to carry another light than the light which is simply for pilot-boats. Therefore, I move an amendment to the Resolution of the learned Delegate from the

United States, by substituting, in subsection (*d*), which he has moved as a substitute for extra amendment No. 57, the word "seven" for the word "five." If that amendment is carried, then I venture to hope that the Conference will accept the motion of the Delegate from the United States.

The President.—Will the Delegate from the United States accept the amendment of the Delegate from Siam to lay the matter over?

Mr. Goodrich (United States).—No, Mr. President; I think that is unwise.

Mr. Hall (Great Britain).—Mr. President, may I suggest that we might take a vote on this proposition? If the proposition of the learned Delegate from Hawaii be accepted by the Conference, then I think we have got over the whole difficulty. If, on the other hand, the Conference should be of opinion that it should not accept his amendment, then I should certainly support the original proposition of the learned Delegate from the United States that this amendment should stand over, and for this best of all reasons: Here is a proposal to strike out a carefully considered clause of a Report of which notice was only given yesterday, and which has only been put into our hands this morning. We have taken a vote upon it once already this morning, and I venture to say that a good many of us have voted without really knowing the importance of the question at issue. It has been told us, with great candour, and I am sure we ought to thank him for telling us so, that one of the Delegates has given his vote without realizing what, I think I may say without any exaggeration, are the disastrous consequences which will ensue if this paragraph be struck out.

The President.—The question is upon the amendment of the Delegate from Hawaii to substitute the word "seven" for the word "five."

Mr. Verney (Siam).—Mr. President, may I ask to have the whole amendment read, so that we may thoroughly understand it?

The President.—The amendment will be read:—

"(*d.*) All sailing-vessels of 7 tons gross tonnage and upwards, engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern, so constructed as to show a clear and unbroken light all round the horizon, and also a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light shall be shown from sunset to sunrise, and one of the pyrotechnic lights shall be shown on approaching to, or being approached by, another vessel, in sufficient time to prevent collision."

Captain Malmberg (Sweden).—Mr. President, may I ask for information? I suppose that this 7 tons proposed by the learned Delegate from Hawaii refers to subdivision (*d*) on p. 4, and not to the amendment of the gallant Delegate from Italy. I think there is a misunderstanding about this, and that some think this should apply to the amendment. It does not apply to the amendment, but to the Report of the Committee on Lights for Small Craft.

Mr. Goodrich (United States).—Mr. President, this is merely a test vote. I move to substitute for extra amendment No. 5, subdivision (*d*) of the Report of the Committee on Lights for Small Craft, on p. 4. Now the motion is to amend my amendment, and, if that passes, the question is still open whether the amended substitute shall be passed or not; but it is not taking a vote upon the main question. It is simply upon the question of substituting 7 tons instead of 5 tons.

The President.—The question has been fairly stated. The Secretary will please now read subdivision (*d*) as amended:—

"(*d.*) All sailing-vessels of 7 tons gross tonnage and upwards engaged in trawling, having their trawl in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern, so constructed as to show a clear and unbroken light all round the horizon, and also a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall, when so burning, be visible for the same distance, under the same conditions, as the white light. The white light shall be shown from sunset to sunrise, and one of the pyrotechnic lights shall be shown on approaching to, or being approached by, another vessel, in sufficient time to prevent collision."

The President.—The question now is upon the amendment of the Delegate from Hawaii to substitute the word "seven" for the word "five" in the first line.

The question was put to the Conference upon the amendment of the Delegate from Hawaii, and it was adopted.

The President.—The question now is upon the substitution of paragraph (*d*), as amended, for extra amendment No. 57. Is the Conference ready for the question on the adoption of paragraph (*d*) as amended?

Mr. Goodrich (United States).—Mr. President, I am inclined to think, after a little interchange of opinion which I have had with the Delegates at the other end of the table, that it is, perhaps, wise to take this vote at the present time. I do that with some trepidation, because I very much hope that this Resolution will be passed; or, rather, that the amendment, as made by the learned Delegate from Hawaii, amending my motion, will be lost.

The President.—That has already been carried.

Mr. Goodrich (United States).—Mr. President, the amendment to my motion has been carried. Now I hope that the vote upon the substitute will be lost, for this reason: it is a test vote. We can then take a vote upon the original proposition and vote it down. Then we come back to the Report of the Committee, and the thing is all right.

The President.—The Delegate from the United States will allow the Chair to state the case as it appears to him: If paragraph (*d*) is carried as amended, extra amendment No. 57 will be lost.

Mr. Goodrich (United States).—Mr. President, the difficulty, if you will allow me to suggest it, with very great respect, is that if you adopt the substitute you adopt the substituted paragraph in place of paragraph (*d*) in the Report. I think that we had better leave the Report of the Committee on Lights just as it stands. In other words, if we vote down the amended motion and substitute paragraph (*d*) for extra amendment No. 57, we shall then come back to the question whether we will adopt the amendment of the gallant Delegate from Italy, and we can vote "No" upon that. Then we come back to the proposition which we will next consider, the Report of the Committee, and adopt that. It seems to me this is the only safe way to do.

Captain Richard (France).—I have no objection to the Article being brought up for discussion a second time, although the Conference seems to me to have expressed itself with such a majority that there can be apparently no error in its intentions.

But I would be quite satisfied to extend the discussion a little more.

An endeavour is made to arrive at a compromise by changing the figure of tonnage to which paragraph (*d*) applies. But there is here no question of 5 tons or of 7 tons, but simply of the lights that are to be given to trawling-vessels; that is the gist of the question, and it is in regard to the lights that we should endeavour to attain a solution if we ever expect to arrive at a result. Consequently, the question arises whether you could not find some inexpensive apparatus with which fishermen could be supplied to take the place of the red pyrotechnic light. It seems to me that it would not be very difficult to find something, easily obtainable and of well-known cheapness, which would supply the want, but I do not think that the adoption of the red pyrotechnic light, which is a relatively expensive device, should be insisted upon.

I therefore think that the Conference should meet the obstacle and endeavour to overcome it. Possibly the desired solution may be found in a torch giving a coloured light, or something similar.

Mr. Hall (Great Britain).—Mr. President, the remarks of the gallant Delegate from France, as usual, have been straight to the point. He says that the real difficulty here is as to the question of the pyrotechnic light. I have not heard it suggested by any one in this Conference that it is desirable that vessels of 5 tons and upwards should only have to show a white light, and it has been pointed out that that is the consequence of adopting the amendment of the gallant Delegate for Italy. I do not think he wants to propose that they shall only carry the white light, and so be liable to be confounded with pilot-vessels. It is clear that this is not the proposal of the gallant Delegate from France. But the gallant Delegate from France says that the real difficulty is the pyrotechnic light. I have no doubt that the Committee considered that difficulty thoroughly, and they proposed that light because there it no other distinctive light which they can find to propose.

If anybody here would suggest any other distinctive light for the trawlers to carry which is a better one than the pyrotechnic light, let us then discuss it most carefully; but in the absence of having other distinctive light suggested to us, why should we say that the pyrotechnic light is a bad one. Nobody has a better one to propose. I think we are all agreed that we want a distinctive light and that there are some objections to the pyrotechnic light. But what the other light is to be nobody suggests. I am certain that it is not the intention of the Conference that trawlers shall not carry some distinctive light. The Committee have considered this matter very carefully, and this is the only distinctive light which they are able to propose. If that be so, I think we ought to carefully regard the situation and see what position we are in.

The Committee have given us the best distinctive light they can. It is pointed out that it will put new hardships upon small vessels. The learned Delegate from Hawaii has considerably modified that difficulty by an amendment, which, I have no doubt whatever, has been supported—certainly, by us—because it was a concession to small vessels, and in their interest. We have agreed to that concession, to increase the tonnage to 7 tons, so that it could not include every small vessel. Is this not a fair concession to meet the difficulties which have been pointed out? May I again venture to remind the Delegates of the Conference that if we do vote against this subsection (*d*), and in favour of the amendment of the gallant Delegate of Italy as it stands at present, they are practically bringing matters to the conclusion that vessels of this size would carry no distinctive light whatever.

Captain Sampson (United States).—Mr. President, I think the members of the Conference are quite clear in their minds as to what they want to do with this question. I think that the members voting for the change from 5 to 7 tons did so with the intention that the change should actually be made, and that we are prepared now to vote for this subsection (*d*). If we adopt that, as the Chairman has pointed out, it settles the whole question. The amendment No. 57, which has been proposed by the gallant Delegate from Italy, would then be lost, as it appears to me, and the question would require no further consideration after we take a vote upon subsection (*d*) as amended.

The President.—Is the Conference ready for the question upon the adoption of subsection (*d*) as amended?

Captain Sampson (United States).—Mr. President, I would like to say further that when this question was discussed by the Committee the limit of 5 tons was fixed upon after considering a limit as high as 10 tons; so I believe the Committee would be quite willing to support this change from 5 to 7 as the vote has shown.

Captain Donner (Germany).—Mr. President, I may state that this limit of 5 tons was put into this Rule by the Committee upon my proposal. I stated that in the Baltic we had a good many small trawling-vessels, open boats, which were trawling in the sense of this Rule, that could not carry these lights, and for the convenience of these small vessels we fixed the limit at 5 tons. I should, however, be perfectly willing to make the limit somewhat wider, say from 7 to 10 tons.

The President.—The question is upon the adoption of subsection (*d*) as amended, the effect of which will be to exclude the extra amendment No. 57.

Mr. Goodrich (United States).—Mr. President, may I also suggest another amendment, which has been practically passed upon by the Conference once before, namely, that in subsection (*d*), on p. 4, of

the Report of the Committee on Lights for Small Craft, the word "provided" should be inserted after the words "and also" in the fifth line of that paragraph, and "the white light shall be shown from sunset to sunrise, and" should be struck out in the third line from the last in paragraph (*d*). Let me also call attention to another fact. I would like to ask of the Committee whether they intended that the visibility of the light for a distance of 2 miles should apply to the white light as well as to the pyrotechnic light?

Captain Sampson (United States).—Yes.

The President.—The question now is upon the amendment suggested by the Delegate from the United States. The Secretary will please read it.

Paragraph (*d*), as amended, is as follows:—

"(*d.*) All sailing-vessels, of 7 tons gross tonnage and upwards, engaged in trawling, having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall carry a white light in a globular lantern so constructed as to show a clear and unbroken light all around the horizon, and also provide a sufficient supply of red pyrotechnic lights, which shall each burn for at least thirty seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. One of the pyrotechnic lights shall be shown on approaching to, or being approached by, another vessel, in sufficient time to prevent collision.

"All lights mentioned above shall be visible at a distance of 2 miles."

The question upon the adoption of paragraph (*d*) was put to the Conference, and the paragraph was adopted.

The President.—Does the Delegate from Italy desire a vote upon his amendment now?

Captain Settembrini (Italy).—Yes, Sir; if you please.

The President.—There has been no disposition of that amendment.

The question was put to the Conference upon the adoption of extra amendment No. 57, and the amendment was lost.

Mr. Carter (Hawaii).—Mr. President, I move that the first line of paragraph (*e*) be amended by substituting the figure "7" for the figure "5," so as to make it read 7 tons gross tonnage instead of 5 tons.

The President.—The Secretary will first read paragraph (*e*) as it stands now.

Paragraph (*e*) of Article — is as follows:—

"(*e.*) Sailing-vessels of less than 5 tons gross tonnage, engaged in trawling, having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall not be obliged to carry the white light mentioned in section (*d*) of this Article, but if they do not carry such light they shall have at hand a lantern showing a bright white light, and shall, on approaching to or being approached by another vessel, exhibit it where it can best be seen in sufficient time to prevent collision; and instead of showing a red pyrotechnic light they may show a flare-up light."

The President.—The amendment proposed by the Delegate from Hawaii is to substitute in the first line in place of the figure "5" the figure "7," so that it will read 7 tons instead of 5 tons.

The question was put to the Conference upon the amendment of the Delegate from Hawaii, and the amendment was adopted.

The President.—The question now is upon paragraph (*e*), as amended.

Mr. Verney (Siam).—Mr. President, before that is put to a vote may I say one word? Perhaps the members of the Conference will notice that in the last line of this paragraph they say, "And instead of showing a red pyrotechnic light they may show a flare-up light." The flare-up light is made permissive. That is in contrast to the last line of paragraph (*d*). I desire to know whether it is the wish of the Conference that it shall be compulsory in one case and permissive in another?

Captain Sampson (United States).—I imagine it was the intention of the Committee that either one or the other should be shown. It says, "Instead of showing a red pyrotechnic light they may show a flare-up light;" that means that they must show one or the other.

The President.—Is the Conference ready for the question upon paragraph (*e*) as amended?

The question was put to the Conference upon paragraph (*e*) as amended, and the paragraph was adopted.

The President.—Paragraph (*f*) will now be read.

"(*f.*) All vessels and boats when employed in line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels when engaged in fishing with drift-nets."

The question was put to the Conference upon the adoption of paragraph (*f*), and it was adopted.

The President.—Paragraph (*g*), Article —, will now be read.

Paragraph (*g*) is as follows:—

"(*g.*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal for a vessel at anchor."

The President.—Is the Conference ready for the question on paragraph (*g*)?

The question was put to the Conference upon the adoption of paragraph (*g*), and it was adopted.

The President.—Paragraph (*h*) will now be read.

Paragraph (*h*) is as follows:—

"(*h.*) Fishing-vessels and boats may at any time use a flare-up in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel, when trawling or fishing with any kind of drag-net, shall be shown at the afterpart of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, the flare-up lights shall be exhibited from the bow."

The President.—Is the Conference ready for the question upon paragraph (*h*)?

The question was put to the Conference upon the adoption of paragraph (*h*), and it was carried.

The President.—Paragraph (*i*) will now be read.

Paragraph (*i*) is as follows:—

"(*i.*) Every fishing-vessel and every boat when at anchor between sunset and sunrise shall exhibit a white light visible all around the horizon at a distance of at least 1 mile."

Mr. Goodrich (United States).—Mr. President, I would like to ask the Committee what the object of putting in this provision is, when it seems to me that this matter has already been provided for. I suppose they have considered it carefully; but I should really like to understand the reason why this Article is inserted.

Mr. Hall (Great Britain).—Mr. President, I believe that was inserted because the fishermen have an idea that this Rule dealing with fishing-vessels contains the whole of the Rule on that subject, and it was to prevent their being misled in the idea that the other Rules would not apply to them, and that therefore they were not bound to carry an anchor-light. It was merely put in out of excessive caution, and perhaps because it would assist the fishermen to have all the Rules under one head.

The President.—Is the Conference ready for the question upon paragraph (*i*)?

The question was put to the Conference upon paragraph (*i*), Article —, and it was adopted.

The President.—The next order of business is the consideration of extra amendment No. 58. The Secretary will please read it.

"It is understood that Article 10 and Article — do not apply to regions where their enforcement would prove too difficult in consequence of local conditions.

"Any Government making this exception for its vessels will inform other seafaring nations of the same."

Captain Hubert (the Netherlands).—Mr. President, I offer this amendment in favour of the poor fishermen in our Colonies. They fish in small canoes about 10 feet long and just wide enough for one person to sit in. They have outriggers and a small sail, and as soon as they commence to fish their sails come down and they drift through the water with their lines. They have only two or three lines. If they have to use two lights as provided in this Article, there must be more than two men in the boat; there is really only one man, so I believe that it is totally impossible to carry two lights. If they must also have sound-signals, there will be no place for the fish which they might catch. These vessels always get out of the way as far as they can, but as soon as they are in the way of a ship they always light a torch and show it in due time to prevent collision. They suffer the most if they get into collision, for they go down and lose their life and property. But if a vessel gets into collision with a fishing-boat, I do not believe the vessel can be damaged. Therefore, I would propose to allow these people, at least in these regions where they cannot carry these lights, to show a light by means of a torch instead of by a red and green lantern.

Mr. Goodrich (United States).—Mr. President, it seems to me that this is a very vague permission. I think I should have some difficulty in knowing what regions were referred to. I am afraid it would make the poor fisherman superior to the judicial officer.

Captain Hubert (the Netherlands).—It refers to all our colonial waters and to the Colonies, I believe, also of Great Britain and of Spain.

Mr. Goodrich (United States).—Mr. President, it does apply to regions where the enforcement would prove difficult in consequence of local condition. I am free to say I do not quite catch the meaning of that. Who is to decide upon that proposition? If you make a proposition that small boats of 1 ton shall not carry such lights I could comprehend it, but as it is I do not understand; and I am afraid that the same difficulty will arise in the minds of other people. In other words, it is a little vague. The whole subject, in fact, is a proposition which a few moments since we voted down, when we rejected extra amendment No. 55, which was also proposed by the honourable Delegate from the Netherlands. It seems to me that the same rule of reasoning would justify the rejection of this amendment, which I have no doubt was very carefully considered by the Delegate from the Netherlands.

Dr. Sieveking (Germany).—Mr. President, I am fully aware that it will be impossible for all nations to accept and adopt these Rules for their own sailing-vessels without some alterations. It has been pointed out to us by the gallant Delegate from Italy, and it is pointed out to us now by the Delegate from the Netherlands, that, under special local conditions, it would scarcely be possible to adopt these Rules in such waters without some slight alterations.

I think that we could leave that to the Governments interested. We have tried to make the Rules, as far as possible, applicable to all fishing-vessels. We cannot make them applicable, perhaps, to all fishing-vessels without exceptions; but there are some exceptional cases, as has just been mentioned by the Delegate from the Netherlands, in which it is clearly proper for the Government to say that all fishing-vessels in such waters are to carry such and such lights only. As, for example, the Dutch Government could say, "Our fishing-vessels of a certain size are to carry such and such lights."

Now, it has been explained before, and it has been pointed out by the Conference, that this is a principle which does not need to be expressed, because it is self-understood, because these International Rules will not be put into use without special provisos by the separate Governments. I think it will be impossible to insert such a proposition as this in the International Rules. How could we say that Article 10 and Article — do not apply to regions where their enforcement would prove too difficult in consequence of local conditions? That is too vague. In fact, there would remain a doubt which cannot be allowed to remain in the Rules. If we give a law, we ought to say that the law is applicable, or if it is not applicable, we ought to define the regions where it is not applicable. I think it has been very clearly explained by the learned Delegate from the United States that it is so indefinite and so vague in expression that it cannot be accepted. Besides, the principle is self-understood. Every Government is at liberty to give special Rules for its own vessels when it may think it necessary. I think the first part of the amendment is not necessary.

And now as to the second part. "All the Governments making this exception for their own vessels will inform other seafaring nations of the same." That cannot form a part of the Rules of the Road, because it is not a Rule. It can only be adopted in the form of a recommendation accompanying the Report which is made by this Conference to the Governments. I think we have already treated and discussed that subject on a former occasion. There may be a general clause which will be not only for Article 10, but for all the alterations of the Rules which may be thought necessary. I take it as a matter of course that the Governments should be informed of such alterations. I think that would be very properly cared for in this way by providing for a note to the Report which accompanies the Rules which the Delegates here assembled in Conference will recommend to their respective Governments. They will recommend the adoption of these Rules, and also recommend that, in case they are adopted with alterations, information regarding these alterations should be interchanged between the Governments. I think it has been mentioned that there have already been referred to the Collocation Committee instructions to insert just such a note as this. So I think the first part of the amendment is unnecessary, and that the second part has been provided for. I think it should not be adopted in this form.

Captain Hubert (the Netherlands).—Mr. President, if that note is inserted in the Report by the Collocation Committee I will withdraw my amendment.

The President.—It has been suggested that a note be inserted by the Committee on Collocation in their Report; on this condition the Delegate from the Netherlands withdraws his amendment. It is not possible to make such a condition; but it is a suggestion on the part of the Delegate from the Netherlands which the Committee will take into consideration, and with which they no doubt will deal.

Mr. Goodrich (United States).—Mr. President, the hour for adjournment having nearly arrived, I now move that the Conference, when it adjourns this afternoon, adjourn to meet at 11 o'clock to-morrow morning, or at 10 o'clock to-morrow morning, because it will be possible for us at this afternoon session and the to-morrow morning session to finish all the work before us. I move that, when we adjourn, we adjourn to meet at 10 o'clock to-morrow morning. That is so as to enable any members of the Conference who desire to leave for the holidays to leave on the afternoon train.

Mr. Kimball (United States).—Mr. President, if that motion prevails, I should like very much to know when the Committees will have time to do their work. It is now proposed to take away the only day left for the consideration of the topics referred to them, and yet they are asked to report on Monday.

Mr. Hall (Great Britain).—Mr. President, I apprehend that if we arrive at the happy result which the learned Delegate forecasts, and in which I agree, that we can get through with our work to-morrow in good time, there will be the whole of the rest of the week for the Committees, although, of course, they may not wish to sit on a national holiday, yet they will have Friday and Saturday. Perhaps, if they have a rest on Thursday, they will not mind giving up their holiday on Saturday. I am quite certain that none of the members of the Conference want to drive a willing horse too hard; but of course it is desirable, if we can, to begin on the Reports of the Committees early next week. I have some information to lay before the Conference, and that is that the Report on General Division No. XIII is actually in draft, and will be laid on the table either to-day or to-morrow.

Mr. Goodrich (United States).—Will the President allow me to suggest that there is not very much more work? I think we can finish the additional Report of the Committee on Sound-Signals, and the few amendments which have not been passed upon as yet, during to-day's session. I think, perhaps, that if we sit a little later to-day and for an hour in the morning, we can finish all our work, and then banish from our minds the Rules of the Road.

Captain Richard (France).—Mr. President, I ask that the Roll be called upon the question, otherwise it may happen that the vote by Yeas and Nays does not decide. I have noticed that the voices of those who are most enthusiastically in favour of a measure, although there may be but few of them, easily drown those of the more sedate members. I would be glad if the Conference could be consulted upon the subject, and to learn whether we will have time to work in the Committees.

Dr. Sieveking (Germany).—Mr. President, I should be very glad if some longer time could be granted to us to consider the Report of the Committee on Sound-Signals. We received it only yesterday, and I have tried to peruse it carefully, for I dare say there are many points to be considered in it which are of very great importance. I did not have the time yesterday to confer upon this subject with my colleagues. It is quite impossible for me to say at present what is their desire, and what are the views of the German Delegation upon this Report. I could not get time this afternoon to confer with my colleagues on this very important matter. It is quite impossible.

Captain Sampson (United States).—Mr. President, I move to amend the motion of my friend, and move that, when we adjourn this afternoon, we adjourn until Monday morning at the usual hour.

The President.—The question is upon the amendment of the Delegate of the United States.

Mr. Goodrich (United States).—Mr. President, if no objection is made, I will accept that amend-

ment. I was only trying to get the opinion of the Conference, and if that is the general expression of opinion, I will accept the amendment.

Mr. Hall (Great Britain).—Mr. President, of course we have not had an opportunity to interchange ideas upon this subject; but may I point out that the Collocation Committee cannot get on with their work until we have finished with the amendments to the Regulations for preventing collisions at sea? I am sure that everybody will agree that it is most important that the Committee shall be in possession of all the matters as soon as possible, because they cannot do their work thoroughly without having practically the whole of the amendments before them. That was the only reason why it appeared to me to be desirable for us to finish the work before we adjourned; and then adjourn, if necessary, for a longer period. Of course we only wish to meet the general views of the members of the Conference. If we adjourn this afternoon without having finished the whole of the work, the Collocation Committee will not be able to finish their labours. I quite agree with the learned Delegate from Germany with regard to the desirability of everybody having time to consider the Report of the Committee on Sound-Signals, and I am certain that it will be saving time in the end when we come to consider that Report. It is an exhaustive Report, and it gives the reasons for its conclusions. If we get through it before we adjourn, then we might have a longer adjournment, perhaps. Of course, as I said before, the Collocation Committee cannot get on with their work until we have the materials before us, and until the Rules for preventing collisions at sea are finished they cannot be drafted into shape or form. I think, perhaps, it would be well to have this matter decided by our vote after recess.

The President.—The Chair was about to suggest the same idea. A recess will now be taken until 2 o'clock.

Before the Conference takes a recess, I desire to state that Mr. James Whimshurst, Delegate for Great Britain, has arrived and taken his seat.

The Conference thereupon took a recess until 2 o'clock.

After Recess.

The President.—The next amendment in order is extra amendment No. 56. The Secretary will please read it.

Extra amendment No. 56 is as follows:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing, provided that in daytime such vessels or boats shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

Dr. Sieveking (Germany).—Mr. President, this amendment is offered by the German Delegates in lieu of extra amendment No. 54, which was discussed at one of our last meetings. The Conference will remember that some discussion took place between the honourable Delegate from Belgium and the German Delegation about the expediency of the extra amendment No. 54. From the conversation which I have had with the honourable Delegate from Belgium and with other Delegates, we have now changed and altered extra amendment No. 54, I will ask the members of the Conference, therefore, to consider this amendment, and I will ask leave to be allowed to say a few words about the difference between the two. Extra amendment No. 54 was opposed chiefly on behalf of the Delegate from Belgium, because in the first part of it it laid down a Rule as between trawlers and other fishing-vessels.

The honourable Delegate from Belgium thought that a hardship was put upon the trawlers by the first part of extra amendment No. 54, as proposed by the German Delegation. After having had a conversation with him upon the subject, we have thought it would not be necessary to press this part of extra amendment No. 54. We thought we could dispense with laying down a Rule as between trawlers and other fishing-vessels, partly for the reason that it has been disposed of for the present, at least, as far as the North Sea is concerned, by the Treaty of the Hague. I do not know whether there are any other parts of the world where it may be deemed necessary to have a Rule laid down as between trawlers and other fishing-vessels. So far as the opinion of the German Delegation goes, it may be left to the existing Convention of the Hague, or to future alterations to be agreed upon by the parties to that Treaty, to establish Rules which are to be enforced as between trawlers and fishing-vessels. So we have left that out altogether.

Now, there remains a second part of extra amendment No. 54 which provided for sailing Rules between other vessels and fishing-vessels and sailing fishing-vessels. Extra amendment No. 54 provided also for steam-vessels, but that would not be necessary, as the general Rules apply that steam-vessels have to keep out of the way of sailing-vessels, and so steam-vessels would obey the general Rule, and would be compelled to give way to fishing-vessels. There need not be a separate Rule about that. On the other hand, there is no Rule necessary between steamers and fishing-vessels under steam. Fishing-vessels under steam may be subject, so far as we see, to the general Rules. The only thing which must be decided is what is to be the sailing Rule between sailing-vessels under way and fishing-vessels. In regard to that, in accordance with the principle which we have followed in extra amendment No. 54, we now propose to say that sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing. That would be the general principle, and it rests upon this principle that sailing-vessels or boats engaged in fishing are always so far incumbered that it would be a hardship upon them to subject them to the general Rule of Article 14. They cannot get out of the way, because they cannot manœuvre as other vessels can.

It has been said that if fishing-vessels are to be granted this privilege they must be distinguished from other vessels; for the night time we have provided by giving them a distinctive signal. In the daytime, although I should think a sailor would be able to distinguish a fishing-vessel, still, after the conversation which we have had with members of the Conference, we have thought it desirable for fishing-vessels, engaged in fishing, to indicate that they are fishing, and are thus prevented from keeping out of the way of other vessels, by displaying a basket or other efficient signal where it can best be seen. I am told that this is the general practice of fishing-vessels which want to give a signal that they have fish on board which they want to sell. So it would not be difficult for them to distinguish themselves by such a signal in the daytime.

It has been further said that if we simply stated that sailing-vessels under way should keep out of the way of sailing-vessels or boats engaged in fishing, this privilege could be abused by the fishing-vessels, because they are generally together in one place, and a crowd of them could obstruct a fair-way which must be kept open and accessible to other vessels. It is for this reason that we have added the last clause of this extra amendment where we say that this Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats. I think that with these guarantees given to other vessels it could only be considered equitable that sailing-vessels under way should keep out of the way of sailing-vessels and boats engaged in fishing.

Mr. Verbrugghe (Belgium).—Mr. President, may I be allowed to confirm what has been said by the learned Delegate from Germany; that after a conversation we came to an agreement on this amendment, which I wish to support. The chief objection I had to the first amendment of the Delegate from Germany was that in the Convention of the Hague the text referred to should be the French one, the only official one, and it states there in French "vessels fishing with ground lines" (*ligne de fond*), whereas such a distinction is not made in the English text. So there arises a sort of misunderstanding, by extending to other fishermen with lines, a privilege which is actually given to fishermen with *ground* lines alone. As to the Rule for fishermen between themselves, that is, between trawlers and other vessels, that, as has been stated by the learned Delegate from Germany, may be settled by the Convention of the Hague. We also have to decide with regard to a steam-trawler. I may state that a steam-trawler, although a vessel under steam, would not be able under all circumstances, to get out of the way of sailing-vessels, because a steam-trawler is incumbered. I need only to mention that I fully agree with what has been said by the learned Delegate from Germany, though I may differ with him on this point alone.

Mr. Goodrich (United States).—Mr. President, following the remark of the learned Delegate from Germany, I suggest that the words "provided that," in the second line, should come in after the words "in the daytime;" for this Rule, as I understand it, is a Rule which applies only in the daytime.

Dr. Sieveking (Germany).—Mr. President, perhaps the wording could be changed; but it is intended to have the same Rule laid down for the night, only that at night they need not exhibit the basket required in the daytime. They only have to carry the lights which distinguish them from other vessels.

Mr. Goodrich (United States).—Mr. President, let me call the attention of the learned Delegate from Germany to the fact that it says, "Sailing-vessels under way shall keep out of the way of sailing-vessels engaged in fishing, provided that in the daytime such vessels or boats indicate their occupation," &c. Does that cover the night-time?

Dr. Sieveking (Germany).—The words could be changed a little. You are quite right about that.

Mr. Goodrich (United States).—I think it ought to be changed so that these words, "provided that," should follow the words "in the daytime."

Dr. Sieveking (Germany).—That would result in this, that at night there would not be a Rule. It must be stated that they are to keep out of the way, and that in the daytime fishing-vessels must be provided with a basket, and at night-time with lights.

Mr. Hall (Great Britain).—I think that if the words "provided that" are struck out it will be perfectly clear, so that it will read "Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing. In daytime such vessels or boats shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen."

The President.—Does the Delegate move that as an amendment?

Mr. Hall (Great Britain).—Yes; I move that we strike out the words "provided that" and insert the word "shall" after the word "boats" in the second line.

Captain Salvesen (Norway).—Mr. President, I understand that this amendment only applies to vessels and boats fishing under way; and I should like to have the words "under way" put in after the words "vessels and boats," because it does not apply to vessels at anchor.

Dr. Sieveking (Germany).—I would call the attention of the Delegate from Norway to the Rule that vessels at anchor have to be avoided by all other vessels.

Captain Richard (France).—Mr. President, I have no objection to the Article in itself. Only I would call the attention of the Conference to a peculiar case which may present itself, and which should be guarded against, viz., that of a sailing-vessel which finds herself in such a position that by avoiding a trawling-vessel she is obliged to run aground or be obliged to manœuvre under very critical circumstances. It seems to me that the language of this Article might be slightly modified, by saying, for instance, "if circumstances allow it, or if the safety of the vessel is not endangered." Notwithstanding the sympathy which I entertain towards trawlers, I cannot admit as a fact the statement that they can in nowise manœuvre. By reducing their speed, by hoisting or lowering their sails, by going from one tack to another, I am speaking here of trawlers and drag-net vessels, they can change their course without thereby sacrificing their fishing apparatus. That is why I wish to give a sailing-vessel a chance under certain difficult conditions, not to change her course, and if the trawling-vessel is on the side of a channel, where it is dangerous for a sailing-vessel to manœuvre, to allow the sailing-vessel not to change her course.

Dr. Sieveking (Germany).—Mr. President, I agree with the principle which has been explained by the gallant Delegate from France, but I think that as a general Rule it need not be expressed in this Rule. Is it not a general Rule that when a vessel which has to keep out of the way incurs a serious danger, for example, if she could not keep out of the way without running ashore or running on a rock, it would always be said that this should be taken into consideration? I do not know of a single Judgment which has laid down the principle that a vessel which has to keep out of the way of other vessels must do so, even at the risk of endangering her own safety by going ashore. So that would be covered by the general Rule, which would be self-understood. But if we say "circumstances permitting," that would be such a vague expression that the Rule would have no effect, and would not be at all certain. It would weaken the Rule so much that I think there would not be much of it left.

Captain Richard (France).—Mr. President, I fully understand the importance of the learned Dr. Sieveking's remark. But my object is not to arrive at a settlement which will, above everything, allow a Court to find a ground for a decision. My object is to avoid a collision in the following manner: that the trawling-vessel, well knowing that in such a place it is difficult for a vessel to avoid her, or to manœuvre, shall herself manœuvre and clear the channel. Dr. Sieveking himself evidently provided for this at the end of his Article by saying, "Fishing-vessels must, as much as possible, avoid obstructing a fair-way." I therefore desire that at such a moment the Rule should be so that the trawling-vessel shall be obliged for her own safety, as well as that of the vessel approaching her, to get out of the way and manœuvre, which she can easily do, either by increasing or diminishing her sail, or by changing her tack; I would, therefore, like to see something inserted into the amendment which would answer that purpose, and I leave it entirely to the Committee on Collocation, if the Conference considers my proposition as having any value.

Dr. Sieveking (Germany).—Mr. President, I would suggest that these remarks could be met by some alteration in the last part of this amendment. We say, "but this Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats." That is merely to say that they are not to hinder other vessels. Now, perhaps it would meet with objection if it were said, "This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing the way of vessels." That would give a little wider extension to the Rule than merely to provide that they are not to obstruct a fair-way. I think that the Rule as it is at present would be quite sufficient for any sound interpretation.

Captain Richard (France).—Mr. President, the prohibition to obstruct a fair-way is perhaps an insufficient Rule; for it cannot be denied that at certain times a trawling-vessel can, to a considerable extent, annoy a vessel without, however, obstructing the fair-way along which the vessel is proceeding. I think that the Rule should be made very precise to compel the trawling-vessel to manœuvre within the limits which I have indicated. I leave it to the Collocation Committee to do what it thinks proper to avoid the objection which I have the honour to make.

Mr. Goodrich (United States).—Mr. President, there is another suggestion made to me by a Delegate, to which, perhaps, attention should be paid. This Rule relates to all fisheries, not alone to the fisheries of the North Sea, and by its language it would compel sailing-vessels to give way to a whaling-vessel or to a sealer, or a cod-fishing vessel. I am sure that is not the purpose of this amendment. It would also compel them to give way to such vessels whether they were under way or not, whether they were in motion or not, so long as they were fishing. I do not know but that even the mackerel fleet on the Newfoundland coast would be given the right of way if this amendment prevails. Therefore, it seems to me that there should be added after the word "fishing," in the second line, the words "not under way," or "not stationary," or something of that kind, to limit the operation of the burden upon sailing-vessels to keep out of the way to the cases where a fishing-vessel is stationary. As you have it now you make a sweeping provision that sailing-vessels are to keep out of the way of these fishermen while they are engaged in fishing. A whaler is engaged in fishing when she is pursuing the whale.

Dr. Sieveking (Germany).—Mr. President, it was not our intention to extend this Rule to whalers at all. I am quite sure that what has been pointed out by the learned Delegate from the United States is correct, but we could insert certain words to the effect that this is only to refer to trawlers and to the drift-net sailing-vessels. We might say, "Vessels fishing with lines or trawling." We could insert those words. As to the other part of it, with regard to such vessels as are stationary or at anchor, the general Rule says that they must be avoided, so we have not provided for them. I think we could add the words, "With nets, lines, or trawls." So, with your permission, I should like to offer this amendment in this way:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with nets, lines, or trawls. In daytime, such vessels or boats shall indicate their occupation by displaying a basket or other efficient signal, where it can best be seen. But this Rule shall not give to any vessel, or any boat engaged in fishing, the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

The last part of the Rule can be left to the Collocation Committee, to see if they can find an expression to meet the views of the gallant Delegate from France.

Mr. Verbrugghe (Belgium).—Mr. President, I wish to make one remark. The intention of the amendment was this: That vessels engaged in fishing are not as free as other vessels; they either are attached to a net, or line, or some apparatus for fishing. For whale-fishing I do not see the necessity for making special mention. I do not see why a whaler in the pursuit of her prey should not be bound to abide by the Rules of the Road. The only thing I desire to mention is that if you put in lines and trawls there may be some other means for fishing which will not be included, and which you will exclude from the privilege which you give now.

The President.—Can the Delegate from Belgium propose any amendment?

Mr. Verbrugghe (Belgium).—No, Sir ; I have no amendment at all to propose. I only make that remark.

The President.—To bring it fairly before the Conference it will have to come in the form of an amendment if you wish to have it voted upon.

Lieutenant Beaugency (Chile).—Mr. President, may I ask the learned Delegate from Germany whether amendment No. 56 takes the place of amendment No. 54 ?

Dr. Sieveking (Germany).—I said before, and it is printed here, that it is offered in lieu of extra amendment No. 54.

Lieutenant Beaugency (Chile).—You proposed amendment No. 54 as subsection (*k*) of the Report of the Committee on Lights for Small Craft.

Dr. Sieveking (Germany).—That is a mere matter of collocation.

The President.—The question is upon extra amendment No. 56, as amended. It will be read for the information of the Conference.

The amendment is as follows :—

" Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with nets, lines, or trawls. In the daytime such vessels or boats shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give to any vessel, or any boat engaged in fishing, the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

Mr. Verbrugghe (Belgium).—Mr. President, may I ask if the word " net " covers " trawlers " ?

Captain Mensing (Germany).—I believe that trawlers are meant, and therefore that it is necessary to say trawlers.

Mr. Verbrugghe (Belgium).—If that is understood, I have no objection.

The President.—There seems to be a difference of opinion about it.

Dr. Sieveking (Germany).—Mr. President, if there is any great doubt about it, why not put in " and trawlers " ?

Captain Salvesen (Norway).—Mr. President, the last part of the Article now reads " In daytime such vessels or boats shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen." According to this, every vessel at anchor, or every fishing-vessel at anchor, has to hoist her basket. I should like to know whether that is the intention of the Article.

Dr. Sieveking (Germany).—Mr. President, I do not think it is of much importance, and it is not much of a burden upon a vessel to be required to display such a basket. We might say, " such vessels when under way shall carry." I have no objection to that.

The President.—The Secretary will please read it again, with the new suggestions.

The amendment is as follows :—

" Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with nets, lines, or trawls. In daytime such vessels or boats, when under way, shall indicate their occupation by displaying a basket or other efficient signal where it can best be seen. But this Rule shall not give to a vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

Mr. Goodrich (United States).—Mr. President, I would suggest to the learned Delegate from Germany that the words " in the daytime " ought to cover the whole sentence.

Dr. Sieveking (Germany).—That would be a matter for the Collocation Committee.

Captain Malmberg (Sweden).—Mr. President, I cannot understand why the words " in the daytime " are put in, because they alter the meaning of this amendment altogether.

Mr. Goodrich (United States).—Mr. President, it is a very serious difference, I suggest to the learned Delegate from Germany, because this Rule is general in the first part of it, and says, " Sailing-vessels shall keep out of the way of vessels engaged in fishing day and night." If you mean that, say it right there.

Captain Sampson (United States).—Mr. President, I may suggest to the learned Delegate from Germany that if the words " when under way " are placed after the word " boats " at the beginning of the second line, I think it will remove all ambiguity.

Captain Malmberg (Sweden).—Mr. President, I only ask for information, whether a sailing-vessel is to keep out of the way of sailing-vessels and boats engaged in fishing, if they are under way or at anchor ? But how am I to know that they are at anchor ? If we put in the words as proposed here, " under way," then I think that some signal ought to be made by the fishing-vessel when she is fast to the ground or at anchor. I cannot understand why these words, " when under way," should be put in. I do not think they are necessary.

Dr. Sieveking (Germany).—There is no distinctive signal for vessels lying at anchor in the daytime. Any vessel lying at anchor has to be avoided.

Captain Malmberg (Sweden).—How am I to know that the fishing-vessel is at anchor ?

Dr. Sieveking (Germany).—How is a steamer to know that another vessel is lying at anchor in the daytime ?

Captain Malmberg (Sweden).—Is it not necessary for that fishing-vessel to have a signal or to have a basket hoisted up just as well when she is at anchor as when she is under way ?

Dr. Sieveking (Germany).—I only ask once more whether there is any Rule to prescribe a signal for a vessel lying at anchor in the daytime ?

Captain Malmberg (Sweden).—No, Sir.

Dr. Sieveking (Germany).—Then why make one for fishing-vessels ?

Captain Malmberg (Sweden).—There is a great deal of difference between a fishing-vessel and another

vessel at anchor. I am to keep out of the way of vessels engaged in fishing. You give, very properly, this privilege to fishing-vessels, and provide that they are to have a basket to show that they are engaged in fishing, and to show to other sailing-vessels that they are to keep out of the way. Now, how am I to know that that fishing-vessel is at anchor?

Captain Mensing (Germany).—Mr. President, I believe that question can be very easily answered, because in both cases she will never have all her sails set. If she is at anchor you will find that she has an anchor-chain, cable, or line out, and that she will lie with her head to the wind; that she has no sails set except, perhaps, one in order to keep her headed properly. I do not think it necessary to give any distinguishing signal to a boat at anchor. I believe that it might be a hardship for small boats which are going out and want to lie at anchor to do this, for it would prevent them from taking down their masts as they do now. They would have to keep the mast up to hoist the basket on it. I would like to know whether or not any of the gentlemen present have ever had any difficulty in distinguishing between a boat at anchor and a boat under sail?

Captain Donner (Germany).—Mr. President, a vessel lying at anchor or a trawliug-vessel lying at anchor, cannot fish with drift-nets or lines attached to the vessel.

Admiral Bowden-Smith (Great Britain).—Mr. President, many years ago I was the officer of the watch; we were crossing just outside of the Plymouth breakwater. I had just relieved the officer on the deck when they suddenly called out, "Boat under your bow." I remember it as if it had happened yesterday. I put the helm hard down. We just did not clear her; we just shaved her, and the two men jumped overboard. That little boat was at anchor by a line from her off-bow. She was held by a sort of a fishing-line, and the men did not know that she was at anchor, and did not give me sufficient time to clear her. That is the way it happened. That boat was at anchor, and we did not know it.

Mr. Flood (Norway).—Mr. President, I have no amendment or alteration to propose to this Rule, as presented by Dr. Sieveking, the learned Delegate from Germany, but I will simply make a remark about what was said a while ago by the learned Delegate from Belgium in talking about whalers. He said that whalers were not fast to anything. Now, I will say that in my country we have a great many of these small whalers going out harpooning these big monsters of from 60 to 80 feet long. And I will say to him that if he ever saw one of these boats harpooning a whale and steaming along with that whale ahead of her, he would find that they were fast to something. I think that these whalers, under such circumstances, ought to come under Article 23.

Mr. Verbrugghe (Belgium).—Mr. President, I am very thankful for the information given by the honourable Delegate from Noway, as it is just the distinction I wanted to make. But when a whaler is not in action, before she gets a whale, I only said that she was able to keep out of the way and to abide by the Rules; so that we perfectly agree.

The President.—Is the Conference ready for the question upon this amendment. It will be read again.

The amendment is as follows:—

"Sailing-vessels under way shall keep out of the way of sailing-vessels or boats engaged in fishing with their nets, lines, or trawls. In daytime such vessels or boats, when under way, shall indicate their occupation by displaying a basket, or other efficient signal, where it can best be seen. But this Rule shall not give any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats."

The question was put to the Conference upon the adoption of the amendment, and it was carried.

The President.—The attention of the Chair has been called to the fact that when extra amendment No. 6 was up for consideration the last three paragraphs were not disposed of. A portion of it was referred to the Sound-Signal Committee, but by some inadvertence the impression was obtained that the whole of it had been referred. The last three paragraphs had no connection with the Sound-Signal Committee. They are now before the Conference for consideration.

Mr. Goodrich (United States). — Mr. President, they were referred to the Sound-Signal Committee.

Mr. Hall (Great Britain).—The last three paragraphs were "agreed." That is the note made at the time.

The President.—That portion of the Protocol will be read, so that the Conference may understand what the reference was at the time.

The Secretary read as follows:—

"*The President.*—The question then, will be with regard to a gun, or any explosive signal, fired at intervals of about a minute.

"The question upon this amendment was put to the Conference, and carried.

"*The President.*—The Chair understands that all the rest of the amendment is to be referred to the Sound-Signal Committee."

The President.—The Sound-Signal Committee had no jurisdiction over the last three paragraphs, therefore the Chair has called the attention of the Conference to the fact that it has not been properly disposed of.

Mr. Hall (Great Britain).—Mr. President, upon that point, as the matter has not been decided, may I ask the Delegate from the Netherlands whether this is not a matter which could be more properly dealt with by the International Code Signal Committee? I am told that these are practically the signals adopted, and, if that be so, would it not be desirable to refer this to that Committee?

Mr. Goodrich (United States).—Mr. President, I am inclined to think that the learned Delegate

from Great Britain was right in saying that the last three paragraphs were adopted at some time, if not on the 18th, because I find in the papers printed by the Collocation Committee that these Articles are printed as passed.

Mr. Hall (Great Britain).—Mr. President, if there appears to be doubt about it, I appeal to the honourable Delegate from the Netherlands as to whether or not he will refer the matter to the International Code Signal Committee. I think it is far better to do that than to incumber our Rules with signals for pilots.

Captain Hubert (the Netherlands).—Yes, Sir; I have no objection to that.

The President.—The Delegate from the Netherlands accepts the suggestion of the Delegate from Great Britain, which disposes of this matter.

The next business in order would seem to be the Resolutions proposed by the Delegate from Russia on behalf of the Committee on Lights, which have not yet been considered, and which have been on the table for some time.

Mr. Hall (Great Britain).—Mr. President, before coming to that matter, I desire to give formal notice that to-morrow, in order to carry out the principle just adopted, I shall move that the suggested sound-signals for vessels requiring a pilot in a fog shall also be referred to the International Code Signal Committee. It seems to me to be most undesirable to incumber our Rules with such matters.

Mr. Goodrich (United States).—Mr. President, if satisfactory to the gallant Delegate from Russia, I move that the Resolutions referred to, with the exception of Article 6, be referred to the Collocation Committee to prepare a note to their Report recommending the presentation of these suggestions to the various Powers represented in the Conference.

Captain Mensing (Germany).—Mr. President, I would like to be informed whether that means that Article 6 should be withdrawn. If so, I would like the learned Delegate from the United States to be kind enough to point out the difficulties he has seen in the way of adopting this Article No. 6. If there are no difficulties in the way, I think it is a most important subject.

Mr. Hall (Great Britain).—Mr. President, I quite agree with the learned Delegate from the United States that it is desirable that we should adopt the whole of the Resolutions of the gallant Admiral, the Delegate from Russia, with the exception of the sixth. May I point out to the gallant Delegate from Germany, that the sixth, as it stands at present, so far as we are able to understand it—and we have considered it very carefully—is absolutely impossible to be complied with? To the rest we agree, and I think the members of the Conference will agree to them. Although it is most desirable, if you could do such a thing, to get the glass of such a colour that the distinctive colours could be retained even in a fog, yet we find, by experience, that it is impossible to do so. Some kinds of fog make everything look yellow, some kinds of fog make everything look red. You cannot possibly get a glass which will retain its distinctive colour, whatever the kind of fog may be. It is solely on account of the difficulty of doing it that we do not propose to adopt it. If the gallant Delegate from Germany will be able to explain how it is possible to do it, by all means let us discuss it; but I confess that the decision or opinion which we have come to, after studying this matter carefully, is that it is impossible to comply with it. I do not believe it possible to get a glass which will retain and show its distinctive colour in a fog.

Captain Mensing (Germany).—Mr. President, I quite agree with the gentleman who spoke before me, that it is a most difficult thing to do. We found in the Committee that it was absolutely necessary to make some provision with regard to the lights, because, if this was not done, the maker of such lanterns would avoid the candle-power standard and construct a lantern which would come up to all the requirements of these Regulations and still would not be good for the purpose. The red and green lanterns must be so coloured as to be easily distinguished at a distance from the white light. Now, it is very difficult to say, without accepting a proper standard, that this red light should be accepted or that such a green light should be rejected. I do not know of any words in the English language that can be found to provide for this; if there are any I would be very glad to adopt them.

From what has fallen from the learned Delegate who spoke before me, it might be taken as meaning that there was no distinction between lights in a fog. I do not think that is the case. The white light, by the action of the fog, always looks as if it were tinged with red. A green light in a fog looks whitish, and a red light becomes dull. In that way there is always a distinction. I do not think that if you had a white and green light side by side you would ever make a mistake. It is only that the white light looks red in a fog, the green light looks white, and the red light looks dull. That is all the difference that I know of. If we leave this paragraph out altogether I am afraid that the makers of these lanterns would employ glass that was coloured very slightly, and, of course, in that case, these lanterns would not come up to the requirements that are provided.

Captain Sampson (United States).—Mr. President, I should like to make one or two remarks on this subject. It is probable that a slight modification in the wording of this Article would make it meet with the approval of the Conference. It certainly is very desirable that the side-lights should be of a distinctive colour. Now, it frequently happens, especially in the case of a green light, that the material used in colouring the glass does not give power to the green light, for if looked at under proper circumstances—that is, through a spectroscope—it will be found to be made up largely of red light, consequently its character is lost when a considerable quantity of the original light is absorbed by a fog or other means. Glass can be made, both red and green, so that the green shall not contain any red, and so that the red shall not contain any green. That is all that I think could be secured, but that would be a very desirable improvement over many of the lights which we now meet with at sea. Therefore I would suggest to modify this sixth Article by saying that the colouring matter used in giving colour to the glass shall be such that the red shall contain no green and the green shall contain no red. I think that if we can adopt that as a Rule it will be all that we can expect, and it will be a great improvement on what we have at present.

Captain Richard (France).—Mr. President, the Resolution adopted by the Committee on Lights having been presented in the form of amendments, I would like to know why the Conference does not follow the general rule which was adopted for amendments, namely, to discuss the Article, paragraph by paragraph, after which it can be sent back to the Collocation Committee.

Mr. Hall (Great Britain).—Mr. President, may I point out to the gallant Delegate from France the difficulty in doing that? These are suggestions to be carried out by the Governments in the future, and they cannot be put into the Rules at the present time. They are merely to guide the respective Governments in making Rules in the future.

Captain Richard (France).—Mr. President, I entirely agree with the views expressed by the eminent Delegate from Great Britain, but my proposition is to read successively each paragraph and submit it to the vote of the Conference, as usual.

The President.—The Delegate from France proposes that the Resolutions be read one at a time and considered by the Conference.

The question was put to the Conference upon the motion of the Delegate from France, and it was carried.

The President.—The Secretary will please read the first paragraph of the Resolution.

The first paragraph of the Resolution is as follows:—

"First. The power of all running- and anchor-lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured."

Mr. Hall (Great Britain).—Mr. President, the first Resolution has already been disposed of by a decision of the Conference.

The President.—If that is the sense of the Conference, the second Resolution will be read. The Chair hears no objection, and the second Resolution will be read.

The second paragraph is as follows:—

"Second. That the minimum power only of each such light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the ships with proper lanterns to employ lamps of this or of higher power."

The question was put to the Conference upon the adoption of the second Resolution, and it was adopted.

The President.—The third paragraph will be read.

The third paragraph is as follows:—

"Third. The use of incandescent lamps to be permitted; the use of arc lights to be, at present, excluded for all purposes other than signalling and search-lights."

Lieutenant Beaugency (Chile).—Mr. President, let me say, Sir, that if the incandescent lamp is permitted to be used, it should be provided that it ought to be a powerful one.

Admiral Kaznakoff (Russia).—This is only for giving permission to use the incandescent light because it was not to be used before.

The question was put to the Conference upon the third paragraph, and it was adopted.

The President.—The fourth paragraph will now be read.

The fourth paragraph is as follows:—

"Fourth. Each lantern must be so constructed that the minimum power of light is to be found at every point where the light is to be visible after the lamp has been fitted with proper screens."

The question was put to the Conference upon the fourth Resolution, and it was adopted.

The President.—The fifth paragraph will be read.

The fifth paragraph is as follows:—

"Fifth. That the lanterns shall be so constructed as to insure the light having at least the minimum power in the ideal line connecting the lantern with the horizon, even though the ship be heeled one way or the other 12 degrees, or any number of degrees decided by the Conference."

Captain Sampson (United States).—Mr. President, I presume that the Committee have investigated this question and know that it is possible for a light to be seen on the horizon when the ship heels 12 degrees. The lanterns usually employed are lenses which throw out a beam which is parallel with the surface of the water when the ship is on an even keel. Now if the ship is inclined 12 degrees, the horizontal sector of the light is inclined to the same extent, and consequently at a considerable distance from the ship the observer would be below the sector of light.

Admiral Kaznakoff (Russia).—Mr. President, this is to provide especially for the case when the ship is heeling in order to try and get a light which will show at a certain angle. Otherwise, if it were thrown only on horizontal lines from the degree of heel, the light would disappear and could not be seen.

Captain Sampson (United States).—That is the difficulty which exists now.

Admiral Kaznakoff (Russia).—Perhaps the number of degrees is too large. It might be better, perhaps, to lessen the number of degrees.

Captain Sampson (United States).—The lamp might be hung in gimbals, or the fresnel lenses might be dispensed with; then the light would be uniform in all directions, but in that way the range of the light would be diminished.

Admiral Bowden-Smith (Great Britain).—Mr. President, may I mention that on this subject our

Regulations are that the lights are to be heeled from 5 to 10 degrees? Ten degrees appears to be the limit at which they are heeled. I suppose there is some reason for limiting the angle to 10 degrees.

The President.—Is the Conference ready for the question on the fifth Resolution?

Mr. Goodrich (United States).—Mr. President, I should like to understand what we are voting upon. If we adopt these Resolutions are they to be appended as a note to the Regulations, or only as a note to the Reports? The Delegates will see at once that if we adopt these Resolutions as a part of the Rules of the Road it is a very different thing from adopting them and making them a part of the Report or calling attention to them in a note to the Report.

Mr. Hall (Great Britain).—Mr. President, I apprehend that there is no proposal that they should be made a part of the Rules. It is that these Resolutions should be submitted in the Report to the various Powers when we report our labours on the Rules of the Road.

Mr. Goodrich (United States).—Not as a note to the Rules, but in a note to the Report.

The President.—It is understood that they are to be a note to the Report.

Captain Mensing (Germany).—Mr. President, I believe that there might be no difficulty in adopting 10 degrees as the limit. The angle of 10 degrees has been shown to be attainable, whereas there may be some difficulty in going further and making the limit 12 degrees, because if the ship should heel over the rays of light sent out from the side-lights would go either into the air or down into the water. If this beam be parallel, it will always be in a vertical line to the axis of the apparatus. I believe that what the gallant Delegate from the United States has pointed out is true in theory, but not in practice. Theoretically we make the focus a point, and we construct our lanterns for that purpose. But in practice of course a lamp with a rather large wick in it, or a large powerful flame in it, cannot be possibly considered a point, for it has to go up and down.

There is one other thing I would like to call to the attention of the Conference. This Article as it stands here provides that the flames of the lamp must be a focus of the apparatus. This is very important. The other day when I was on Staten Island I visited the depôt there, and the officer in charge had the kindness to show me a lamp which he had bought in the city of New York for one of the naphtha launches. It was a foremast lamp and the lantern was about that size [*indicating*]. It was nicely made and there had evidently been no expense spared in constructing it. He said to me, "Look at this lantern and see if you find any fault with it." I said I saw none. He said, "I will show you." He took this lamp and lighted it and put it into the lantern. Then when I was standing right in the middle of this lantern I could see nothing of the flame, because the flame was about 2 inches out of focus and all of the rays were sent down. There is an advantage if we accept the proposal, as stated here, that the flame of a lantern must be focused properly. I think that perhaps it might be well to make this limit 10 degrees instead of 12 degrees.

The President.—Does the Delegate from Germany propose an amendment to make the limit 10 degrees instead of 12 degrees?

Captain Mensing (Germany).—I will be glad if the gallant Delegate from Russia will adopt that.

Admiral Kaznakoff (Russia).—Mr. President, I will certainly adopt that suggestion.

The President.—The question now is upon the fifth Resolution. The suggestion of the Delegate from Germany has been adopted by the Delegate from Russia.

The question was put to the Conference upon the adoption of the fifth Resolution, and it was adopted.

The President.—The sixth Resolution will now be read.

The sixth Resolution is as follows:—

"Sixth. That the colour of the glasses by which the colouring of the light is to be produced be so chosen that the lights retain their distinctive colour even in a fog."

Admiral Kaznakoff (Russia).—Mr. President, there is a substitute proposed for this Resolution. The colour of the glass by which the colour of the light is produced is to be so chosen that the red light shall have no admixture of green and the green light no admixture of red.

The President.—The Resolution as amended will be read as soon as the corrections are made.

Mr. Hall (Great Britain).—Mr. President, we will have to consider whether or not that might render it impossible to get the best tint of green. Of course that is a matter which can only be decided by those who thoroughly understand it.

Captain Sampson (United States).—Mr. President, the learned Delegate is quite right about the green lamp. There is very much more difficulty about the green light than the red. There is in fact no trouble whatever about the red. But I think a green light can be made without any red in it.

Captain Mensing (Germany).—I think that the light must be distinctive and vivid in colour.

Mr. Hall (Great Britain).—Mr. President, may I suggest that we ought to put in the words "if possible?" I do not say that we are in the dark here, but we may be prescribing something which it is very difficult to comply with. I think that we ought to put in the saving words "if possible." I think it ought to read: "That the colour of the glass by which the colouring of the light is to be produced be so chosen, if possible, that the lights retain their distinctive colour, even in a fog."

Captain Mensing (Germany).—Mr. President, I would like to propose to extend it a little and say, "that these colours shall be vivid and easily distinguishable." I know that this is very bad English, but I have no other words in my mind. I think that the chief end for us to attain is to have the lights show brightly and vividly, red and green colours, and be so coloured that they retain this colour and be not obscured by a light fog or haze, or a little dirt on the lantern.

The President.—Will the Delegate be kind enough to put his suggestion in writing?

Mr. Hall (Great Britain).—Mr. President, may I offer a suggestion which I think will meet the views of the Committee on Lights, and that is, keep the Resolution as it is, but put in as a saving clause the words "if possible," so that it will read, "That the colouring of the glass by which the

colouring of the light is to be produced be so chosen that, so far as is possible, the lights may retain their distinctive colours." I think this really will alter it less than any other amendment, and it will provide for every condition of things which it is wished to deal with.

The President.—The Secretary will please read the amendment as it seems to have been agreed upon.

The Resolution is as follows:—

"That the colour of the glasses by which the colour of the light is produced shall be so chosen that the light, so far as is possible, may always retain its distinctive colour."

The President.—Is the Conference ready for the question?

Captain Sampson (United States).—Mr. President, I would suggest that it is hardly an advance on what we have now. I do not think that this suggests any improvement. There is great trouble about the red and green lights; but it seems to me that we have not put the screws on sufficiently to secure any decided improvement. To my mind, the change made by the Chairman of the Committee, and amended by the Delegate from Great Britain, by the insertion of the words "if possible," puts the standard as high as it could be placed.

Captain Mensing (Germany).—Mr. President, if there should be any difficulty in accepting this, I would propose that the Resolution should be as follows:—"That the colouring of the glasses by which the colour of the light is to be produced be so chosen that if possible the red light shall have no tinge of green, nor the green light any tinge of red rays, and that both colours can be readily and unmistakably distinguished."

The President.—The Delegate from Germany proposes an amendment, which will be read, as a substitute for the sixth Resolution.

The amendment is as follows:—

"That the colouring of the glass by which the colour of the light is to be produced shall be so chosen that, if possible, the red light shall have no admixture of green or the green light of red rays, and that both colours can be readily and unmistakably distinguished."

Captain Richard (France).—Mr. President, I hope the Conference will excuse me for again speaking. Paragraph 6 was decided upon in the Committee on Lights to which I belong, but the various amendments which have been presented absolve me from the Resolution which I had tacitly made as a member of the Committee, to defend it, or at least not to assail it. I think that I can clearly express my opinion in French by stating that the light proposed by the Committee in Article 6 should be: "d'une coloration nette et franche jusqu'à la portée réglementaire." But it may be asked whether the red and green lights will preserve their colour and vividness the whole of their distance. Is it not likely that at a certain distance these lights will be effaced, and that the green light will have a tendency to become white, and that the white light will lose its brilliancy?

On the other hand, if we put into the Rules "if possible's" and "may do so and so's," it is very certain that the recommendations will not carry as much weight with them when we present them to those to whom we offer such recommendations. Perhaps, as there is no certainty about it, it would be well to simply strike out the clause and to make of paragraph 7 paragraph 6. In regard to the proposition which was made by the honourable Chairman of our Committee that there should be no green in the red and no red in the green, this is a matter which perhaps does not come within our jurisdiction, and is more likely within that of the manufacturer of lanterns and side-lights. It would perhaps have been better to demand a specified result without entering into details. I think it would therefore be best to strike out paragraph 6 and to take up the discussion of paragraph 7.

Captain Mensing (Germany).—Mr. President, any Resolution which did not take this point into consideration would be incomplete. I believe that the sense of this Conference is unanimous as to what we want, and so it is simply a matter of expression. As some other matters have to be referred to the Committee on Lights, I propose that this Article be reconsidered by the Committee on Lights. I have no doubt that in a very short while they will come to some understanding and agreement about it.

Mr. Hall (Great Britain).—Mr. President, I am not aware of anything which has been referred to the Committee on Lights now. I think we have concluded our Rules on the question of lights. I know there is a Report from the Lighthouse Board; but I do not understand that there is any recommendation for us to alter our Rules with regard to lights or any new recommendation which is to go back to the Committee on Lights. I was in hopes that we would finish now with everything with the exception of the Report of the Committee on Sound-Signals. We are all agreed as to the necessity of some recommendation such as this, and I think it possible that it could be very well left to the Committee on Collocation. The gallant Delegate from Germany could instruct his learned colleague in making a suggestion, and I have no doubt that the gallant Admiral, the Delegate from Russia, and the gallant Delegate from the United States will be able to agree upon a proper expression which we will adopt. I think it would be a great pity to refer the matter back to the Committee on Lights when it is a question of mere wording, and when we all agree upon the question of principle.

Admiral Kaznakoff (Russia).—Mr. President, the Committee on Lights only have to consider the Report just received from the Lighthouse Board. I do not think that that Report will alter in any way the Articles with relation to this matter now before the Conference.

The President.—The question is upon the motion of the Delegate from Germany. Does the Delegate from Germany insist upon that motion now?

Captain Mensing (Germany).—No, Sir; I do not.

The President.—The motion is withdrawn; the question now is upon the proposition of the Delegate from Germany as a substitute for the sixth Resolution, which will be read.

The substitute for the sixth Resolution is as follows :—

"That the colouring of the glasses by which the colour of the light is to be produced shall be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colours can be readily and unmistakably distinguished."

The President.—Is the Conference ready for the question upon the substitute for Resolution No. 6 ?

The question was put to the Conference on the adoption of the substitute for Resolution No. 6, and it was carried.

The President.—The next Resolution will be the seventh, which will be read by the Secretary

The seventh Resolution is as follows :—

"Seventh. That no detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance be given inventors to produce serviceable articles."

The question was put to the Conference upon the seventh Resolution, and it was carried.

The President.—The eighth Resolution will be read.

The eighth Resolution is as follows :—

"Eighth. To meet the number of complaints of the absence of proper lights on board sailing-vessels, the Committee propose to call the attention of Governments to the necessity of better enforcing the Regulations in the future.

"The above Resolutions of the Committee on Lights are to be taken in consideration in construing the Rules, and to be inserted, not in the text of the said Rules, but in notes annexed to them."

Mr. Goodrich (United States).—Mr. President, that is the very danger which I pointed out a few moments ago in the remarks which I made. I desire to call the attention of the learned Delegate from Great Britain to the language of this last paragraph.

The President.—The Chair would suggest that the eighth Resolution be first considered, and then that the final clause of the Resolution be considered. The question will be upon the eighth Resolution.

The question was put to the Conference upon the adoption of the eighth Resolution, and it was adopted.

The President.—The consideration of the last paragraph is now in order.

Mr. Goodrich (United States).—Mr. President, I move that there be substituted for this clause the following Resolution :—

"That the Collocation Committee be instructed to prepare a note to be annexed to their Report, and not to the Regulations, and that said note embody the above proposals."

The President.—Will you be kind enough to put that in the form of a Resolution ?

The Resolution is as follows :—

"*Resolved,*—That the Collocation Committee be instructed to prepare a note embodying the above proposals, to be annexed to their Report, and not to the Regulations."

Admiral Kaznakoff (Russia).—Mr. President, the idea of the Committee in putting these Resolutions forward was that all persons who are responsible for the fitting out of ships and the inspecting of ships should know the views of the members of this Conference upon the subject. Now, we might put these Resolutions into the Reports to the various Governments, but if we do they will never be seen by the people who are concerned in them. Our idea was only to show to the people who are responsible for fitting out ships what we want.

Mr. Verney (Siam).—Mr. President, it seems to me that this proposition might meet the views of the Conference, that paragraphs 1, 2, 3, 4, 5, and 6 of the Report be adopted in regard to the construction of lanterns to be used in accordance with the Rules.

Captain Mensing (Germany).—Mr. President, as I take it, the meaning of these Resolutions from the Committee on Lights was this: There are in every country certain instructions given for Inspectors of vessels. They are issued in England by the Board of Trade. Nearly all other countries have accepted about the same instructions. It would be advisable to make these instructions as similar to each other as is necessary to insure that the lanterns should all fall within the limits which are given in the Rules and Regulations. If these proposals were adopted it would lead to this result. Of course the way it is done at present is entirely different. Take, for instance, the instructions for Inspectors in England. The Board of Trade there requires the Inspector to have the diameter of the wick, the size of the glass, the height of the glass, the thickness of the glass, and other matters. That is entirely left out here. If these Regulations or these principles should be adopted by the Powers which are represented here then we would practically have all over the world lanterns and lights which would be practically the same and practically uniform. I think there would be a very great advantage gained in that way. But I do not believe they ought to be put into the Rules and Regulations, and I really do not see what good they would do there.

The President.—The Delegate from Siam moves the following Resolution :—

The Resolution is as follows :—

"*Resolved,*—That paragraphs 1, 2, 3, 4, 5, and 6 should be observed in the construction of lanterns to be used in accordance with the Rules of the Road at sea."

Mr. Hall (Great Britain).—Mr President, I would merely suggest, after what has fallen from the gallant Delegate from Germany, that probably this would be met by making it read: "The above Resolutions of the Committee on Lights, appointed by this Conference," so that it will appear that these Resolutions come from such a representative body as the Committee on Lights. So that it will read—

"The above Resolutions of the Committee on Lights, appointed by this Conference, are recommended to the attention of the Powers represented at this Conference."

I think that meets the views of my friend on the left, so far as I can understand, and I think it will meet the views of the gallant Delegate from Russia. I think it would be sufficient to say that the above Resolutions of the Committee on Lights, appointed by this Conference, are recommended to the attention of the Powers represented at this Conference.

Admiral Kaznakoff (Russia).—Yes, Sir; that would be satisfactory.

The President.—Does the Delegate from Siam accept that also?

Mr. Verney (Siam).—Yes, Sir,

The President.—Will the Delegate from Great Britain be kind enough to send his Resolution to the Chair in writing? The Secretary will please read the Resolution.

The Resolution is as follows:—

"The above Resolutions of the Committee on Lights, appointed by this Conference, are recommended to the attention of the Powers represented in this Conference."

The President.—Is the Conference ready for the question?

The question was put to the Conference upon the Resolution proposed by the Delegate from Great Britain, and it was adopted.

Mr. Goodrich (United States).—Mr. President, I suppose, now that the Conference has adopted Articles 7, 8, 9, and 10, all the proposals to amend these Articles which have been handed in by the various members of the Conference in connection with them are disposed of. That will clear out a good many of these amendments, and save the necessity of considering them separately. That, of course, does not include the amendment to Article 12, which will be taken up in connection with the additional Report of the Committee on Sound-Signals, which was presented yesterday.

The President.—The Chair desires at this time to suggest to the Delegates that they are requested to hand in to the Secretary their corrected Protocols of a later date than the 12th November at their earliest convenience.

The next business in order is the proposition of the Delegate for the United States. The Secretary will please read it.

The proposition is as follows:—

"The Conference recommends that no earlier date than the 1st January, 1891, be fixed upon by the several Powers as the time when these Regulations shall be put into force."

Mr. Goodrich (United States).—Mr. President, some of the Delegates shake their heads at this note. I will state my object in presenting it. I take it that the Report of the Conference will have to be considered by the various Powers and undergo legislative scrutiny. It seems to me that a year is ample time to do that, and that if a date could be recommended to the Powers as a date before which they should not put these Rules into operation, it would also give an opportunity to the nautical men to study and understand the provisions of the new Code. I am inclined to think it would take the whole of the year for the nautical men to understand it, if it gives as much trouble to them as it does to these practical sailors and to some poor lawyers, who have been discussing it around the Conference board.

Mr. Hall (Great Britain).—Mr. President, I will point out that it is necessary that notice be given to all Maritime Powers that these Rules have been adopted by the various Powers. That, of course, can only be done by communications interchanged between the Powers. There will have to be at least six months' notice given, so that the Rules may be brought to the attention of sailors in all parts of the world. I do not think that there need be the slightest apprehension that the Rules will come into operation before the 1st January, 1891. I only hope that they may come into force within a measurable period after that time.

Mr. Goodrich (United States).—Mr. President, I withdraw the Resolution.

The President.—The Delegate from the United States withdraws the Resolution.

Mr. Goodrich (United States).—Mr. President, I move that the Conference do now adjourn until 11 o'clock to-morrow, at which time the additional Report of the Committee on Sound-Signals be made the special order, together with the amendments which are made to it.

Mr. Hall (Great Britain).—Mr. President, I hope that the motion will be adopted, for the reason which I gave before we adjourned. It will leave the hands of the Collocation Committee free to commence their work at once. I am certain the Delegates will see that it is very desirable for us to do our work so that they will be in possession of a printed copy of the Rules as they come from the Collocation Committee, and so as to be able to deal with them in form and thus save considerable time. If we can do this before we adjourn, it would be very desirable. If the gentlemen who have so kindly assisted us desire more time for their Committee work, I certainly think we ought to give them all they require, and we can do that by adding another day to the adjournment, so that if we take to-morrow away from them we will give them Monday, and they will come, like giants refreshed, to their work after their rest on Sunday, and then the Conference will meet on Tuesday. We shal not lose any time by that course, and it will enable us to get our work in hand so that we can go on with it

Mr. Kimball (United States).—Mr. President, I understand, then, that the proposition is to adjourn from to-morrow until the succeeding Tuesday?

Mr. Hall (Great Britain).—Yes, Sir.

Mr. Kimball (United States).—Mr. President, I have no objection to that, provided my colleagues have none.

Mr. Hall (Great Britain).—Mr. President, I may add that this is purely in the interest of the gentlemen who have so kindly assisted us by serving on Committees. We want to extend their time as far as possible without causing delay. I have made this proposition for that reason and for no other.

Mr. Goodrich (United States).—Mr. President, it is suggested in this part of the room that Wednesday will be still better. It is proposed that we adjourn from to-morrow until Wednesday.

Captain Sampson (United States).—Mr. President, I would like to ask the learned Delegate from Great Britain what is to be done in case we do not complete this work to-morrow?

Mr. Hall (Great Britain).—Mr. President, I confess that is such a fearful subject to contemplate that I am hardly prepared to meet the question. I will point out, however, that we have already shortened our labours to-day by the proposition to send the pilot-signals to the International Code Signal Committee. That will dispose of one of the proposals contained in the Report of the Committee on Sound-Signals. Then I think there are only two new Rules proposed in that Report, and we ought to be able to deal with them to-morrow, surely, with every possible deliberation. I agree that it is a most important subject, and one which should not be hurried in any way whatever; but as we have adopted the suggestion of sending the signals for pilot-boats to the International Code Signal Committee, I do not think we ought to have any difficulty in getting through to-morrow.

Captain Richard (France).—Mr. President, I would gladly share the opinion of the learned Delegate of Great Britain if I saw upon the order of the day anything besides the Report of the Committee on Sound-Signals, but I am afraid that we have nothing but that Report to discuss to-morrow. I have hardly read it, but so far as I have been enabled to read it I have found many excellent things in it, and I would be glad to read it over at my leisure, and I think that we would gain by reading it over before discussion. If the Report in question should be adopted as a whole in our session to-morrow, I see the advantage which the Collocation Committee would thereby gain; but if it is not adopted to-morrow, which might unfortunately happen, then the advantage which is held out to us would vanish, and the work of the other Committees would suffer by it. If we have not a sure and actual chance of discussing this Report in its entirety and of adopting it, I persist in the belief that it would be best to adjourn and to devote to-morrow to Committee work. Then you wil return from your respite next week, which you have well earned, fresh and well disposed, and I hope that work will be resumed with more activity than ever, because you will then have before you nearly all the Reports of the Committees. Does not this prospect allure you?

Mr. Hall (Great Britain).—Mr. President, I am sure that we want to accede generally to the wishes of the gentlemen who deliberate here, and if there really is any doubt as to our being able to deal satisfactorily with the sound-signal Report to-morrow, and after what has fallen from the gallant Delegate from France I think there may be, and as it is very desirable that everybody should have plenty of time to consider that Report, I think it would be better for us to adjourn to-day unti Monday, and then take up the Report of the Committee on Sound-Signals on Monday.

The President.—Before the question is taken upon the adjournment, the Secretary desires to know when the Committees are going to meet. If the Chairman of each Committee will make the announcement as to the time when they propose to meet, the Secretary will so record it.

Mr. Hall (Great Britain).—Mr. President, before that matter is concluded I would like to say that as we are not going to sit to-morrow it may be that some of us will not be in a position to hand in direct to you, as it is our duty to do, the Reports of the Committees. I have one such Report which I had hoped to be able to hand in before we adjourned to-day, but I have not been able to do so. I should like to ask whether you will give us authority to hand our Reports directly to the Secretary, so that they can be printed and distributed to the members at as early a date as possible.

The President.—I desire that you do so. Does the Delegate from the United States accept the amendment to his motion to adjourn?

Mr. Goodrich (United States).—Yes, Sir.

Mr. Carter (Hawaii).—Mr. President, will the Chairmen of the different Committees be given opportunity to announce the meetings?

The President.—You can announce them now before the adjournment.

Mr. Carter (Hawaii).—Then I will announce that the meeting announced for Friday morning of Committee No. 2 will be held to-morrow at 10 o'clock.

Captain Mensing (Germany).—Committee No. 3 will meet to-morrow morning at 11 o'clock.

Captain Sampson (United States).—The meeting of Committee No. 1 will be held immediately after our present adjournment.

Mr. Kimball (United States).—Mr. President, the Committee on Life-Saving Devices will meet here to-morrow morning at 11 o'clock.

Dr. Sieveking (Germany).—Mr. President, I beg to notify the Load-Line Committee that a meeting will be held to-morrow morning at 11 o'clock.

The Conference thereupon adjourned until Monday, the 2nd December, 1889, at 11 o'clock A.M.

EGYPT. No. 1 (1890).

REPORT

ON THE

FINANCES OF EGYPT,

DATED FEBRUARY 20, 1890.

Presented to both Houses of Parliament by Command of Her Majesty.
April 1890.

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Report on the Finances of Egypt, dated February 20, 1890.

No. 1.

Sir E. Baring to the Marquis of Salisbury.—(*Received March* 3.)

My Lord, *Cairo, February* 20, 1890.

IN conformity with the practice of previous years I have delayed submitting my Annual Financial Report to your Lordship until the detailed accounts of the past year had been made up.

I have now the honour to inclose two Memoranda prepared by Mr. Gorst. In the first of these papers the Accounts of 1889 and the Estimates of 1890 are examined in detail. The second Memorandum deals with the present situation of Egyptian trade. Imports into Egypt have recently been falling off. I therefore requested Mr. Gorst to go thoroughly into this question, as it is one of very considerable importance.

I venture to draw your Lordship's attention to the ability with which Mr. Gorst has performed the duties assigned to him, and which will, I trust, meet with your Lordship's approval. The details of Egyptian finance are extremely complicated, and it requires a somewhat special aptitude in dealing with such matters to bring out clearly the really important points of the situation. This aptitude Mr. Gorst possesses in a high degree.

Mr. Gorst's examination of the Accounts and Estimates is so complete, that I may confine myself to a very few observations of a general nature. The surplus of the past year, in spite of many unfavourable circumstances, amounted to £ E. 196,000. Taxation to the extent of £ E. 121,000 has been remitted. Nevertheless, the Estimates of the current year, which have been framed with great moderation, show a surplus of £ E. 150,000.

Mr. Gorst says, and I fully agree with him, that "from a financial point of view, 1889 is undoubtedly the most satisfactory year in the history of Egypt." There can, in fact, be little doubt that after a long struggle, during which the future solvency or insolvency of the country remained doubtful, financial equilibrium is secured. More than this, some relief of taxation has already been afforded, and, looking merely to the intrinsic difficulties of the case, there is every reason to hope that some further measures, both in the way of fiscal relief and of material development, will become possible at no very distant date.

But in order that any such programme should be carried out one condition is absolutely necessary, and a second condition, if not absolutely indispensable, is of such importance, that in its absence great delays and obstacles must of necessity be placed in the way of Egyptian progress and reform.

The condition which is absolutely necessary is that the political situation in Egypt should undergo no radical change—in other words, that a British army should continue to occupy the country, and that the influence of the English Government, which depends largely on the presence of the Army of Occupation, should continue paramount.

The further condition to which I have alluded above, and which is only second in importance to the first, is that Egyptian questions should be treated on their own merits, and without reference to the unfortunate international rivalries which have been and still are so detrimental to the true interests of the Egyptian people.

There can be little doubt as to the main requirements of Egypt at present.

Although the finances are in a very favourable condition as compared to anything which has existed in Egypt for many years past, there is one weak spot in the situation. Trade shows a somewhat marked tendency to diminish. I hope and believe that Mr. Gorst is right in the conclusion at which he has arrived after a very careful examination of the subject. That conclusion is, that the depression of trade is due to causes of a temporary nature, and that there is nothing to show that the country is being gradually impoverished. Nevertheless, the continued export of bullion is an awkward economic fact, of which it is difficult to give any thoroughly satisfactory explanation. Two further facts must also be borne in mind in considering the Egyptian financial position. The first is that by far the greater portion of the debt is held abroad, and that the annual charge on account of tribute and interest, amounting to about £E. 5,400,000, represents about 53 per cent. of the Egyptian revenue, and about 45 per cent. of the total amount of exports. The second fact is that although, as Mr. Gorst has shown, the prices of the main articles of agricultural produce have slightly risen during the last three years, at the same time they are very low as compared with those of previous years. The land tax, which constitutes the main resource of the Egyptian Treasury, has remained unchanged, or nearly so, with the result that the cultivators have to sell considerably more of their produce than was formerly the case, in order to meet the demands of the tax collector.

The combination of falling prices, and the extreme difficulty of applying any speedy and effectual remedies to the deep-seated evils which had for so long existed in Egypt, made me during the early years of the British occupation take a somewhat pessimist view of the Egyptian financial situation. I gladly recognize that the results have been more favourable than I anticipated. The country, which is singularly endowed by nature, has shown remarkable elasticity in recovering from the effects of the misgovernment and economic errors of the past. Further, the reforms which have been recently introduced have borne more speedy fruit than, for my own part, I anticipated. Nevertheless, although it is, of course, impossible to prove what is merely a conjecture, I have no hesitation in expressing my own opinion that, had the old régime continued, the low prices of the last few years would have brought Egypt into a hopeless state of bankruptcy. The improvements which have taken place in the system of irrigation, the partial abolition of the corvée, the comparative absence of illegal exactions, the cessation of waste and extravagant expenditure, and generally the order and good government which have prevailed during the last seven years, have fortunately averted any such catastrophe. They have enabled Egypt to meet all its financial obligations in spite of the fall in prices. But they have not done much more than this. From a purely pecuniary point this position of the agricultural taxpayers of Egypt has, by reason of low prices, not been very materially improved.

The requirements of a country in the general position which I have indicated above are manifest. Improved credit should be utilized to diminish the interest of the debt; taxation should be reduced; irrigation should be improved and extended, not indeed by the adoption of any vast and expensive projects, but gradually and by the expenditure of sums such as the Egyptian Treasury can afford without inconvenience. Thus the amount of produce derived from the soil would be increased, the quantity available for export would be greater than at present, and the burthen of the External Debt would lie less heavily on the population.

I believe that, if the intrinsic difficulties of the situation were alone considered, there is no reason why a programme based on these general principles should not be gradually carried into execution. Unfortunately, as so frequently happens in Egypt, the real merits of the case are rendered subordinate to international rivalries or to the presumed political exigencies of a foreign Power. The French Government still refuses to agree to the conversion of the Preference stock. The result is that taxes, which will fall mainly on the poorest classes, and which would otherwise be remitted, will have to be levied to the extent of no less than 280,000*l.* a-year. The explanation of the figure of 280,000*l.* is as follows:—In the first place, the economy resulting from the conversion, amounting to 150,000*l.* a-year, will not be realized. In the second place, it will be necessary to raise money to continue the irrigation works. The interest on the loan will amount to 65,000*l.* a-year, but owing to the very complicated system of accounts imposed upon Egypt by the London Convention of 1884, and which I have frequently explained on former occasions, the Egyptian Government must raise double this amount, viz., 130,000*l.*, in order to provide for the payment of the interest charge

The action of the French Government is greatly to be regretted, and I should add that it is hurtful not only to the taxpayers of Egypt, but also to the bondholders,

whose interests are intimately bound up with those of the taxpayers, and whose security would be considerably improved if some wise measures of fiscal relief could be afforded to the people of Egypt.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 1.

Memorandum.

Accounts of 1889.

The Estimates for the year 1889 were as follows:—

	£ E
Revenue	9,690,000
Expenditure..	9,682,000
Surplus..	8,000

The figures for the revenue and expenditure given in the Budget for 1889 are less than those given above by £ E. 123,000. This sum represents the amount realized in the course of the year from the payments for exemption from corvée, of which no estimate was given in the Budget. As the amount in question is included both on the receipt and expenditure side of the accounts of the year, I have, for the purpose of comparison, added it to the Estimates.

The final accounts of 1889 show the following result:—

	£ E.
Revenue	9,719,000
Expenditure	9,523,000
Surplus..	196,000

The revenue was, therefore, £ E. 29,000 better than the estimate.

The expenditure was £ E. 159,000 less than the estimate. The net result was £ E. 188,000 better than the estimate.

The cash balance of the Egyptian Government at the commencement of the year amounted to £ E. 2,858,000; at the close of the year it was £ E. 3,201,000, showing an increase of £ E. 343,000. This increase was due, partly to the surplus of the year, and partly to the profit on the coinage of new money, and to the interest on the reserve funds of the Government, which are paid direct into the funds in question without being included in the year's accounts.

Revenue of 1889.

The following Table gives the revenue of each of the years 1887 and 1888, and the estimated and actual revenue in 1889, under each of the major heads of Account:—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts better (+) or worse (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
I. Contributions Directes ..	5,430,000*	5,373,000	5,157,000	5,249,000	+ 92,000
II. Contributions Indirectes ..	1,781,000	1,745,000	1,922,000	1,872,000	— 50,000
III. Revenus des Administrations de Recettes..	1,789,000	1,772,000	1,860,000	1,813,000	— 47,000
IV. Recettes des Services Administratifs	394,000	628,000	593,000†	635,000	+ 42,000
V. Locations et produits des propriétés du Gouvernement ..	83,000	79,000	75,000	71,000	— 4,000
VI. Recettes du Gouvernorat de Suakin	15,000	13,000	13,000	18,000	+ 5,000
VII. Retenue sur les traitements du personnel	47,000	62,000	70,000	61,000	— 9,000
Total	9,539,000	9,672,000	9,690,000	9,719,000	+ 29,000

* Exclusive of tax on tobacco lands, now included under "Contributions Indirectes."

† The receipt from corvée redemption, which were not estimated in the Budget, are included in this figure.

It will be seen from the above Table that the revenue of 1889 was £ E. 29,000 greater than the estimate, and £ E. 47,000 greater than the receipts of the previous year. The amount derived from direct taxes and from the receipts of the Administrative Services was considerably greater than was expected; on the other hand, indirect taxes and the receipts from the "Administration de Recettes" brought in less that the estimate, though more than the actual receipts of 1888.

I now proceed to examine in greater detail the different heads of Account given above, with a view to seeing what conclusions can be drawn as to the present position of the Egyptian revenue. The details of the revenue derived from "Contributions Directes" is shown in the subjoined Table :—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts better (+) or worse (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Land tax	5,130,000	5,059,000	4,841,000	4,893,000	+ 52,000
2. Professional tax	148,000	141,000	150,000	141,000	— 9,000
3. House tax	110,000	133,000	120,000	168,000	+ 48,000
4. Other minor taxes	42,000	40,000	46,000	47,000	+ 1,000
Total	5,430,000	5,373,000	5,157,000	5,249,000	+ 92,000

At the time when the Estimates of 1889 were framed, it was expected that the amount of land tax remitted on account of "sharaki" lands, that is to say, lands which are left unirrigated, would, owing to the very low Nile of 1888, be not less than £ E. 300,000. As a matter of fact, the taxes remitted in the course of the year amounted to £ E. 323,000, being £ E. 23,000 more than the estimate. In spite of this, the land tax has, nevertheless, brought in £ E. 52,000 more than was anticipated. This result is due to the fact that the amount of uncollected taxes, estimated at £ E. 130,000, was not much more than £ E. 40,000.

The house tax brought in £ E. 48,000 more than was expected, and £ E 35,000 more than in the previous year. This was principally due to the collection of arrears of former years.

The following Table shows the receipts obtained under the head of "Contributions Indirectes :"—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts better (+) or worse (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Customs (exclusive of tobacco)	648,000	622,000	666,000	585,000	— 81,000
2. Imported tobacco	289,000	333,000	454,000	442,000	— 12,000
3. Tax on native tobacco	39,000	10,000	12,000	91,000	+ 79,000
4. Octrois	306,000	291,000	290,000	275,000	— 15,000
5. Salt and natron	210,000	212,000	220,000	215,000	— 5,000
6. Fisheries	82,000	82,000	80,000	79,000	— 1,000
7. Navigation dues	76,000	72,000	75,000	72,000	— 3,000
8. Stamps and registration	52,000	54,000	55,000	50,000	— 5,000
9. Miscellaneous	79,000	69,000	70,000	63,000	— 7,000
Total	1,781,000	1,745,000	1,922,000	1,872,000	— 50,000

It will be observed that the receipts from this source, though showing an increase of £ E. 127,000 over those of 1888, fell short of the estimate by £ E. 50,000. By far the most unsatisfactory feature in the above figures, and, indeed, of the year as a whole, is the steady falling off which is observable in the receipts from the Customs. The matter is one of considerable importance, and has given rise to theories tending to cast doubts on the genuine character of the apparent financial prosperity of the country. I have therefore thought it worth while to examine with some care the Custom-house Returns for the last few years. The result of my examination is embodied in a separate Memorandum. The conclusion at which I have arrived is, that the depression of trade shown by the Returns in question is due to temporary causes which need inspire no serious alarm for the future.

The amount realized by the duty on imported tobacco has, as was anticipated, shown a very considerable increase over the figures of 1888. This is due to the fact that the new legislation respecting native-grown tobacco is at last, owing to the gradual consumption of the stock of native tobacco which existed in the country at the beginning of 1888, beginning to produce its full effect. At the same time, the extent of land devoted to the cultivation of native tobacco was, as I mentioned in my Memorandum of last year, considerably in excess of the Budget estimate, and the receipts derived from this source amounted to no less than £ E. 91,000, that is to say, £ E. 79,000 more than had been anticipated.

The receipts under the head of "Octrois" have fallen off by £ E. 15,000. This is in a great measure due to a fall in the price of many of the chief articles upon which octroi dues are levied. It is also to a small extent caused by the fact that this tax was, in 1889, abolished in fifteen towns of the interior.

Under the head of "Salt and Natron," it is satisfactory to see that the reduction of 20 per cent. made in 1889 in the price of salt, which is a Government monopoly, in the two poorest provinces of Upper Egypt, has not been followed by a diminution of receipts.

The details of the revenue derived from the "Administration de Recettes" are given in the following Table:—

Head of Account	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts better (+) or worse (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Railways	1,297,000	1,270,000	1,390,000	1,302,000	— 88,000
2. Helouan Railway	10,000	9,000	..	..	..
3. Telegraphs	35,000	26,000	25,000	29,000	+ 4,000
4. Port of Alexandria	111,000	115,000	110,000	109,000	— 1,000
5. Post Office	122,000	114,000	116,000	116,000	..
6. Postal steamers	117,000	131,000	115,000	151,000	+ 36,000
7. Lighthouses	89,000	99,000	95,000	99,000	+ 4,000
8. Ports (other than that of Alexandria)	3,000	3,000	3,000	4,000	+ 1,000
9. Mint	5,000	5,000	6,000	3,000	— 3,000
Total	1,789,000	1,772,000	1,860,000	1,813,000	— 47,000

The receipts under this head produced £ E. 47,000 less than was estimated. This result was due to a large falling-off in the railway receipts, amounting to no less than £ E. 88,000. The normal receipts from this administration are taken at about £ E. 1,300,000. In 1889 the rates for goods and first and second class passengers were increased, and it was expected that an additional £ E. 90,000 would be realized from this source. As a matter of fact, the increased rates have only resulted in the normal figure being reached. An examination of the details of the railway receipts shows that this result was in no way due to a diminution of business owing to the increased rates, but was almost entirely caused by a falling off in the carriage of sugar and cereals, the former bringing in £ E. 11,000 and the latter £ E. 65,000 less in 1889 than in 1888. This was, of course, due to the bad harvest of 1888, which affected very largely the amounts exported of the two articles in question. The receipts under almost every other head show that an increased amount of business was done in 1889 in spite of the new rates.

A clearer idea of the financial administration of the Port of Alexandria, the Post Office, and the Postal steamers is obtained by comparing the net receipts after deducting the amount expended upon each Department.

The following Table gives the net revenue for each of the three years, 1887-88-89 :—

	1887.	1888.	1889.
	£ E.	£ E.	£ E.
Port of Alexandria	83,000	96,000	89,000
Post Office	26,000	20,000	30,000
Postal steamers	12,000	31,000	45,000

The Post Office Returns, as well as those from the Postal steamers, are very satisfactory. The receipts from the former have not diminished in spite of the fact that by the cession of the post boats in Upper Egypt to Messrs. Cook and Sons, a reduction of £ E. 10,000 was effected in the expenditure. The increased revenue from the Postal steamers is partly due to improved administration, and partly to the competition of the Russian and Austrian direct lines to Constantinople having ceased.

The Telegraph Administration is still carried on at a loss, but while the expenditure in 1889 was £ E. 4,000 less than in 1888, the receipts were £ E. 3,000 more.

The following Table gives the details of the revenue under the head of " Recettes des Services Administratifs ":—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts better (+) or worse (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Ministry of Justice	280,000	309,000	310,000	340,000	+ 30,000
2. Miscellaneous	80,000	72,000	60,000	81,000	+ 21,000
3. Redemption from military service .	28,000	159,000	100,000	91,000	— 9,000
4. Redemption from corvée ..	6,000	88,000	123,000*	123,000	..
Total	394,000	628,000	593,000	635,000	+ 42,000

* Not estimated in the Budget, but inserted for purposes of comparison.

The receipts from the Ministry of Justice are £ E. 30,000 more than the estimate and than the figure of the previous year. This is the more satisfactory, as the receipts of 1888 included a considerable amount of arrears. Of this increase about £ E. 10,000 comes from the Native Tribunals, and is due, in part, to an increased scale of fees, and, in part, to the extension of the Native Courts to Upper Egypt. The remaining £ E. 20,000 is derived from increased receipts in the Mixed Courts. The expenditure on this administration amounted to £ E. 334,000 in 1889, being £ E. 21,000 less than the estimate, but £ E. 18,000 more than that of 1888. Whereas,

therefore, the Ministry of Justice showed a net expenditure of £ E. 7,000 in 1888, for the past year it shows a net revenue of £ E. 6,000.

The amount received under the head of Redemption from Military Service is always a varying item, and one extremely difficult to estimate. In 1889 it brought in £ E. 91,000, being £ E. 9,000 less than the Budget figure.

The payments received in 1889 for exemption from corvée amounted to £ E. 123,000. This, added to the £ E. 250,000 appropriated to the partial abolition of the corvée, gave a total expenditure under this head of £ E. 373,000 as compared with £ E. 324,000 in 1888. The number of men called out on corvée in 1889 was equivalent to the employment of 50,000 men for 100 days, as compared with a figure of 59,000 in 1888 and 87,000 in 1887.

The revenue derived from the fifth major head of Account, namely, "Locations et produits des propriétés du Gouvernement," shows a constant tendency to diminish owing to the gradual sale of the Government lands.

The receipts from the "Gouvernorat de Suakin" show an increase of £ E. 5,000 over the figure of 1888. This is due to increased Customs Returns, but it may be doubted whether it is altogether a matter for congratulation, as it is partly due to the importation of grain, some of which probably finds its way to the Dervishes.

The amount received under the head of "Retenue sur les traitements du personnel," though less than the estimate, about equals the receipts of 1888.

Comparing the revenue of 1889 with that of previous years, it will be seen that the taxes have been collected in a satisfactory manner in a year which was still suffering from the effects of the low Nile of 1888.

On the other hand, the receipts from the Customs and Railways are disappointing. As I have already stated, the causes of this state of things are of a temporary character, and with their cessation more favourable Returns may be looked for in the future. In the duty on the importation of tobacco, the Egyptian Government have found a resource which possesses considerable elasticity, and which may be capable of still further development.

Expenditure of 1889.

The following Table gives the actual and estimated expenditure of 1889 and the expenditure of the two previous years under each of the major heads of Account:—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts greater (+) or less (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
I. Liste Civile, Allocations, et Cabinet du Khédive	358,000	358,000	279,000	271,000	— 8,000
II. Frais d'Administration et de Perception	1,819,000	1,850,000	1,803,000	1,763,000	— 40,000
III. Dépenses des Administrations de Recettes	898,000	871,000	883,000	874,000	— 9,000
IV. Sécurité Publique	798,000*	721,000	774,000	824,000	+ 50,000
V. Gouvernorat de Suakin ..	31,000	29,000	25,000	28,000	+ 3,000
VI. Pensions	558,000*	536,000	500,000	504,000	+ 4,000
VII. Tribut et Dette Non-Consolidée	1,322,000	1,332,000	1,337,000	1,178,000	— 159,000
VIII. Dépenses rémunératrices ..	32,000	3,000	..	..	..
IX. Suppression partielle de la corvée	237,000	324,000†	373,000†	373,000†	..
X. Service de la Dette Consolidée	3,578,000	3,578,000	3,708,000	3,708,000	..
Total	9,631,000	9,602,000	9,682,000	9,523,000	— 159,000

* Inclusive of the amount charged to the Guaranteed Loan Account.
† Inclusive of the expenditure charged on receipts from exemption from corvée.

As I explained last year, the figures for 1887 are less by about £ E. 140,000 than they would otherwise have been owing to a change in the system of making good the deficits of the Domains and Daïra Sanieh. Taking this sum into account, it will

be seen that the total expenditure of 1889, which was £ E. 159,000 less than the estimate, was £ E. 79,000 less than the total expenditure of 1888, and £ E. 248,000 less than the total expenditure of 1887. It will be necessary to consider in detail the different heads of Account, in order to see in what branches of the administration the economies indicated by the above figures have been effected.

The Civil List has been reduced by £ E. 87,000 owing to the arrangement made in 1888 for the settlement of the claims and allowances of the ex-Khedive and other members of his family.

The expenditure under the head of "Frais d'Administration et de Perception" is £ E. 40,000 less than the estimate and £ E. 87,000 less than the corresponding expenditure in 1888. The details of this expenditure are given in the following Table :—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Account.	Accounts greater (+) or less (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Conseil des Ministres	5,000	5,000	6,000	6,000	..
2. ,, Législatif	7,000	9,000	9,000	9,000	..
3. Ministère des Affaires Etrangères	11,000	12,000	11,000	11,000	..
4. ,, des Finances ..	154,000*	133,000	127,000	123,000	— 4,000
5. ,, de l'Instruction Publique	67,000	70,000	70,000	70,000	..
6. ,, de l'Intérieur ..	127,000	143,000	134,000	131,000	— 3,000
7. ,, de la Justice ..	320,000	315,000	355,000	334,000	— 21,000
8. ,, des Travaux Publics ..	447,000	478,000	448,000	458,000	+ 10,000
9. Cadastre	26,000	18,000	..	..	..
10. Services Divers des Ministères ..	122,000	109,000	88,000	93,000	+ 5,000
11. Services Administratifs et de Perception des Provinces ..	322,000	337,000	337,000	327,000	— 10,000
12. Douanes	82,000	99,000	93,000	89,000	— 4,000
13. Octrois	46,000	46,000	45,000	42,000	— 3,000
14. Sel et Natron	68,000	62,000	66,000	58,000	— 8,000
15. Pêcheries	11,000	10,000	11,000	9,000	— 2,000
16. Perception des Droits de Navigation	4,000	3,000	3,000	3,000	..
Total	1,819,000	1,850,000	1,803,000	1,763,000	— 40,000

* Inclusive of "Imprimerie Nationale."

The above figures show that, with the single exception of the Ministry of Justice, the expenditure on every item was less in 1889 than in the previous year. At the time when the Budget was framed, it was expected that the Native Tribunals would be established in Upper Egypt by the beginning of the year, and provision was consequently made for an additional expenditure of £ E. 39,000 over that of 1888. As a matter of fact, the new Courts were only in regular working order during the last half of the year, and the expenditure was, therefore, £ E. 21,000 less than the estimate. The expenditure on the remaining heads shows a most satisfactory tendency to diminish, the result of economical administration and efficient financial control. In only two instances has the Budget Estimate been exceeded, and then only by very insignificant amounts, namely, by £ E. 10,000 in the case of the Public Works Department, and by £ E. 5,000 under the head of "Services Divers des Ministères."

The following Table gives the particulars of the expenditure under the head of "Dépenses des Administrations de Recettes" :—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts greater (+) or less (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Railways	583,000	571,000	585,000	585,000	..
2. Heloüan Railway	5,000	5,000	..	4,000	+ 4,000
3. Telegraphs	39,000	39,000	35,000	35,000	..
4. Port of Alexandria	28,000	19,000	20,000	20,000	..
5. Post Office	96,000	94,000	97,000	86,000	— 11,000
6. Postal steamers	105,000	100,000	103,000	106,000	+ 3,000
7. Lighthouses	29,000	31,000	30,000	26,000	— 4,000
8. Ports (other than that of Alexandria) ..	11,000	10,000	11,000	10,000	— 1,000
9. Mint	2,000	2,000	2,000	2,000	..
Total	898,000	871,000	883,000	874,000	— 9,000

It will be seen that the expenditure under this head, though slightly in excess of that in 1888, was £ E. 9,000 less than the estimate. This is due to the Post Office expenditure having been £ E. 11,000 less than the estimate, owing, as I have already explained, to the transfer of the post boats in Upper Egypt to Messrs. Cook and Sons.

At the time when the Budget was framed, the estimated receipts from the railways were taken at £ E. 1,390,000, of which £ E. 90,000 was due to the increased rates which it was proposed to impose. It was agreed between the Egyptian Government and the Commissioners of the Caisse that the railway expenditure should be taken at £ E. 585,000, which is 45 per cent. on £ E. 1,300,000, and that in 1889 no portion of the revenue which it was expected to realize from the new rates should be expended on the railways. As has been already pointed out, the receipts from the railways have only brought in £ E. 1,302,000, so that, in fact, the expenditure in 1889 amounted, as in other years, to the full 45 per cent. of the gross receipts.

The expenditure on the other Departments included in this Table has been already considered in connection with the revenue derived from them.

The expenditure under the head of "Sécurité Publique" is given in detail in the following Table:—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts greater (+) or less (—) than Estimates in 1889
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Ministry of War	352,000*	388,000	454,000	496,000	+ 42,000
2. Police and Prisons	251,000	217,000	213,000	221,000	+ 8,000
3. Army of Occupation	195,000	116,000	107,000	107,000	..
Total	798,000	721,000	774,000	824,000	+ 50,000

* Inclusive of the amount charged to the Guaranteed Loan Account.

It will be seen that the Budget of 1889 provided for an increased military expenditure of £ E. 66,000. This was occasioned by the increase of the Egyptian army which took place at the end of 1888. The additions consisted of 1,000 Egyptian infantry, 800 Soudanese infantry, 75 cavalry, 3 English officers, and 34 Egyptian officers. In spite of this provision, the accounts under the head of "Sécurité Publique" exceeded the Estimates by £ E. 50,000, which was almost entirely due to an increased expenditure on the Ministry of War. This expenditure was necessitated by the Dervish advance down the Valley of the Nile in the summer of last year.

The expenditure on the police shows a small increase, owing to the pay of the city police in Cairo and Alexandria having been augmented.

The expenses of the Army of Occupation are put down in the Accounts of 1889 at £ E. 107,000, being the amount estimated in the Budget. It is, however, possible

that further charges may be made on account of the unforeseen expenditure due to the movement of British troops in the direction of the frontier at the time of the Mahdiist advance last summer.

The Pension charge in 1889 amounted to £ E. 504,000 as compared with £ E. 536,000 in 1888, and £ E. 558,000 in 1887. In my Memorandum of last year, I pointed out that a steady diminution might in future be hoped for under this head. All the arrears of former years have now been settled. No demand is now taken into consideration which is presented more than six months after the date at which the official ceased to be employed. Considerable progress has been made in the commutation of pensions. In the course of 1889, 551 pensions, of the annual value of £ E. 29,000, were exchanged for 20,500 feddans of land belonging to the State, and 2,123 pensions, of the annual value of £ E. 13,000, were commuted for a capital sum of £ E. 68,000 in cash.

The details of the expenditure under the head of "Tribut et Dette Non-Consolidée" are given in the following Table:—

Head of Account.	1887.	1888.	1889 Estimates.	1889 Accounts.	Accounts greater (+) or less (—) than Estimates in 1889.
	£ E.	£ E.	£ E.	£ E.	£ E.
1. Tribute	678,000	678,000	678,000	665,000	— 13,000
2. Interest on Suez Canal shares	194,000	194,000	194,000	194,000	..
3. Daïra Khassa	34,000	34,000	34,000	34,000	..
4. Moukabala	150,000	150,000	150,000	150,000	..
5. Interest on advances and "frais de change"	6,000	3,000	6,000	7,000	+ 1,000
6. Domains and Daïra deficits	260,000*	273,000	275,000	128,000	— 147,000
Total	1,322,000	1,332,000	1,337,000	1,178,000	— 159,000

* This figure includes only about two-thirds of the deficit of 1887.

The total expenditure on this account is £ E. 159,000 less than the estimate, and £ E. 154,000 less than the figure of 1888.

The greater part of the reduction is due to the Domains and Daïra deficits being much smaller than was anticipated. The prices of all the principal articles of produce have steadily improved in the last three years. The sale of Domains lands has continued at a satisfactory rate of progress, and naturally tends to reduce the deficit by a proportionate amount. In the course of 1889, 11,000 feddans of Domains land were disposed of in the commutation of pensions, and since 1885 no less than 85,000 feddans have passed out of the hands of the State, partly in commutation of pensions, and partly in commutation of the allowances of the Khedivial family.

The expenditure of £ E. 373,000 for the partial suppression of the corvée is made up of the normal figure of £ E. 250,000 appropriated to this account plus £ E. 123,000, being the amount realized by the payments for exemption from the corvée.

The interest on the Consolidated Debt is £ E. 130,000 in excess of the expenditure on this account in previous years. This sum represents the amount appropriated to the service of the 4½ per Cent. Loan issued in 1888.

It will be seen from this examination of the expenditure of 1889 that the cost of administration continues to decrease steadily, in spite of the extra military expenditure necessitated by the recent disturbances on the frontier and at Suakin. This very satisfactory result has been attained by a careful and economical control over the expenditure of the different Departments of Government without in any way impairing their efficiency.

Taking into account the amount required for the payment of the interest on the Domains and Daïra Loans—of which only the deficit claimed from the Government appears in the accounts of the year—the total annual expenditure of the Egyptian Government, on the basis of last year's figures, may be taken at £ E. 10,000,000, of which £ E. 4,600,000 for Administrative Services and £ E. 5,400,000 for tribute and interest on the debt. To meet this, there is a revenue of about £ E. 9,700,000 plus the Annual Returns from the Domains and Daïra estates, amounting to about £ E. 500,000.

Guaranteed Loan Account.

The extraordinary expenditure authorized by the Convention of 1885 amounted to £ E. 10,163,000, of which, up to the end of 1888, £ E. 9,404,000 had been expended. In the course of 1889, expenditure to the extent of £ E. 200,000 was charged to this account, the two principal items being £ E. 154,000 for irrigation works, and £ E. 36,000 on account of the Soudan. The unspent balance at the end of the year, amounting to £ E. 559,000, is distributed as follows:—

	£ E.
Saving on deficit of 1884	50,000
Soudan	9,000
Treasury funds	500,000
Total	559,000

Part of the assets of the Guaranteed Loan consisted in certain lands belonging to the Egyptian Government, which had to be sold before the accounts of the loan could be balanced. It is necessary to put these lands on the market gradually, and the result is, that the expenditure authorized by the Convention has already exceeded by £ E. 313,000 the total available assets of the loan. This expenditure has been met by including in the 4½ per Cent. Loan of 1888 a sum of £ E. 275,000 to cover charges on the Guaranteed Loan until the remaining assets could be realized, and by advances from the Egyptian Treasury. In order to repay these amounts, and to provide for the expenditure authorized by the Convention, which has not yet been incurred, it is necessary that the lands in question should be sold for £ E. 372,000.

The whole of the £ E. 1,000,000 appropriated to irrigation works by the London Convention has now been expended, as well as the sum authorized to be employed in the commutation of pensions. The question of providing means for continuing the expenditure on these accounts is one of very great importance to the Egyptian Government, and will be discussed when I come to consider the Budget of 1890.

Amount of Debt.

At the commencement of 1889 the Public Debt of Egypt amounted to 103,936,000*l.* In the course of the year, debt to the amount of 509,000*l.* was redeemed, leaving the amount of the debt at the end of the year at 103,427,000*l.*

Reserve Funds.

The General Reserve Fund of the Egyptian Government, which was created in 1888, may be used to make good any deficiency in the payment of the interest on the debt, or of the administrative expenditure authorized by the Powers in the London Convention and subsequent Decrees, or to meet any extraordinary expenditure which has been approved by the Commissioners of the Caisse. It is eventually to be brought up to £ E. 2,000,000. Taking into account the rise in the value of the securities in which it was invested, the fund at the beginning of 1889 amounted to £ E. 610,000. During the year it was increased as follows:—

	£ E.
1. Half the surplus of the affected provinces	130,500
2. Interest on investments	30,000
3. Sale of lands	42,000
4. Rise in value of investments	55,000
Total	257,500
Deduct amount advanced for new offices of the Caisse	20,000
Net increase	237,500

At the close of the year, therefore, the General Reserve Fund amounted to £ E. 847,500.

The Special Reserve Fund is made up of the sums at the absolute disposal of the Egyptian Government. It amounted at the commencement of 1889 to £ E. 161,000. During the course of the year it was increased as follows:—

	£ E.
1. Half the surplus of the affected provinces	130,500
2. Profit on Mint operations	115,000
3. Interest on investments	4,000
4. Rise in the value of investments	6,000
	255,500

	£ E.	
Deduct excess of administrative expenditure over authorized figure ..	84,000	
And expenditure on commutation of pensions in 1889	80,000	
		164,000
Net increase		91,500

It amounted therefore to £ E. 252,500 at the end of 1889.

General Financial Results of 1889.

The published accounts of the year show that, after making up the accounts between the Egyptian Government and the Commissioners of the debt, in the manner prescribed by the Convention of 1885, there remained a surplus of £ E. 419,000 to be divided between the two Reserve Funds.

The financial year of the Caisse closes on the 25th October; that of the Egyptian Government on the 31st December. In the autumn of 1889, a change was introduced in the date of the collection of certain taxes which, while not affecting the revenue of the whole year, caused the receipts paid into the Caisse in its financial year to be somewhat greater than the normal figure. It has been, accordingly, decided to carry on an amount of £. E. 158,000 to next year's account, and to take the surplus to be divided between the Caisse and the Government at £ E. 261,000.

The Government receive, therefore, a sum of £ E. 130,500 from the Caisse. Out of this has to be paid the amount by which the administrative expenditure exceeded the figure authorized by the London Convention and subsequent Decrees, namely, £ E. 84,000. The general financial results of the year are, therefore, briefly as follows:—

1. The cash balance of the Egyptian Government (exclusive of that held by the Commissioners of the Caisse) was increased from £ E. 885,000 at the beginning of the year to £ E. 1,092,000 at its close.

2. The revenue was £ E. 9,719,000 and the expenditure £ E. 9,523,000, showing a surplus on the ordinary Budget of £ E. 196,000.

3. After making up the accounts between the Caisse and the Egyptian Government, there remains a surplus of £ E. 130,500, which is paid by the Commissioners into the General Reserve Fund, and a surplus of £ E. 46,500 (namely, £ E. 130,500 – £ E. 84,000) in the hands of the Government, which goes to increase the Special Reserve Fund.

4. The total expenditure charged in the course of the year to the Guaranteed Loan Account amounted to £ E. 200,000. The unspent balance, leaving out of account the £ E. 500,000 kept in hand as Treasury funds, is only £ E. 59,000. In order to provide this sum and to repay the amounts advanced to the loan account, the lands which form part of its assets must be sold for £ E. 372,000.

5. The outstanding capital of the debt was reduced by 509,000*l.* in the course of the year, and amounted to 103,427,000*l.* at its close.

6. At the end of 1889 the General Reserve Fund amounted to £ E. 847,500, and the Special Reserve Fund to £ E. 252,500. The total balance in hand with which the Egyptian Government begins the year 1890 is, therefore, £ E. 1,100,000.

From a financial point of view, 1889 is undoubtedly the most satisfactory year in the history of Egypt. In spite of the loss of land revenue caused by the low Nile of the previous year, in spite of the decrease in the customs receipts and of the failure of the railways to produce the extra revenue that was anticipated, and in spite of the increased military expenditure necessitated by the troubles on the frontier, the year has closed with a considerable surplus. At the time when the Budget of 1889 was framed, the whole efforts of the Egyptian financial authorities were directed to making both ends meet, and attempting to surmount exceptional difficulties without recourse to borrowing or trenching upon the Reserve Funds. The results of the year have turned out far more favourable than could then have been anticipated, and are a very conclusive proof of the financial progress that has been made in Egypt under the auspices of an Egyptian Administration, aided by a very limited number of carefully selected English officials in the service of the Khedive.

Budget of 1890.

The Budget of 1890 is as follows :—

	£ E.
Revenue	9,650,000
Expenditure	9,500,000
Surplus	150,000

The Budget is prepared before the final accounts of the preceding year are known. Before attempting to draw any conclusions as to the financial prospects of the current year, it will be advisable to compare the Estimates with the actual results of 1889.

Estimates of Revenue in 1890.

The following Table shows the manner in which the estimated revenue for 1890 is distributed over the several major heads of Account and the corresponding receipts of 1889 :—

Head of Account.	1889 Accounts.	1890 Estimates.	Estimates of 1890 greater (+) or less (—) than Accounts of 1889.
	£ E.	£ E.	£ E.
I. Contributions Directes	5,249,000	5,348,000	+ 99,000
II. Contributions Indirectes	1,872,000	1,859,000	— 13,000
III. Revenus des Administrations de Recettes ..	1,813,000	1,810,000	— 3,000
IV. Recettes des Services Administratifs	512,000*	490,000	— 22,000
V. Locations et Produits des Propriétés du Gouvernement	71,000	70,000	— 1,000
VI. Recettes du Gouvernorat de Souakin	18,000	13,000	— 5,000
VII. Retenue sur les Traitements du Personnel ..	61,000	60,000	— 1,000
Total	9,596,000	9,650,000	+ 54,000

* Exclusive of receipts from corvée redemption.

It will be observed that under the head of "Contributions Directes," it is expected to realize £ E. 99,000 more than in 1889. The land tax is estimated at £ E. 207,000 more than it brought in last year. In view of the fact that the taxes remitted in 1889 on account of "sharaki" land amounted to £ E. 323,000, the estimate is by no means excessive.

The Egyptian Government have decided to abolish the corvée altogether in the current year. It is estimated that the sum necessary to replace forced labour entirely by free labour is about £ E. 400,000. The amount placed at the disposal of the Egyptian Government for this purpose by the London Convention is £ E. 250,000. It is proposed to raise the balance of £ E. 150,000 by imposing a small additional tax on the land. The average rate of this tax will be 3 piastres a feddan (equivalent to about 7½*d.* an acre), and in no case will it exceed 4½ piastres a feddan. If, however, the French Government agree to the proposed conversion of the Preference stock, it will be possible to dispense with the necessity for any fresh taxation, as the economy realized will be more than sufficient to cover the extra expenditure which this great reform will entail. The Egyptian Government are at present awaiting the answer of the French to their latest proposals on the subject of the Conversion scheme, and it is to be hoped that the French Government will not much longer delay giving their assent to a measure which will materially lighten the burdens which press on the fellaheen, and to which no possible exception can be taken on its own merits.

On the other hand, in view of the possibility of the French persisting in their refusal, it is prudent to take a moderate estimate of the amount that will be realized from the land tax, as the effect of the proposed increase of the tax may be to render its collection more difficult.

The professional tax is taken at £ E. 60,000 less than last year. This is owing to the fact that the tax in question has been abolished everywhere but in the large towns. This measure will relieve about 170,000 individuals of the poorest classes from the payment of a tax which often led to considerable abuses, and which was frequently fixed in a very arbitrary manner by the local officials.

The house tax is estimated at £ E. 48,000 less than the actual receipts of 1889, as a considerable amount of arrears were included in the receipts of the latter year. It may, however, be expected to realize some £ E. 10,000 more than the Budget Estimate.

The estimated revenue under the head of "Contributions Indirectes" is less than the actual receipts of 1889 by £ E. 13,000. The Customs, exclusive of tobacco, are expected to realize £ E. 15,000 more than in 1889. In view of the fact that the period of depression from which the receipts from this source have been suffering appears to be approaching its conclusion, I consider the estimate a very moderate one, and if the tendency to an increase of imports which has been observed in the last months of 1889 be continued, it may not improbably be exceeded. The Returns from the duty on imported tobacco are expected to bring in £ E. 36,000 more than in the past year. It has been decided in the current year, as a temporary measure, to limit the cultivation of tobacco in Egypt to 1,500 feddans, and it is hoped that the result of this measure will be to increase considerably the amount of tobacco imported into the country. The tax on native-grown tobacco, which in 1889 produced £ E. 91,000, will, in view of the limitation imposed by the new law, not yield more than £ E. 45,000.

The Budget of 1890 provides for the suppression of the octroi at Rosetta, and also for the omission of rice from among the products liable to the payment of these dues. These two measures represent a reduction of taxation to the extent of £ E. 7,000. A further remission of taxation of the value of £ E. 28,000 is caused by the abolition of the weighing tax. This tax pressed very unfairly on the native Egyptians, as Europeans could not be compelled to contribute to it.

The revenue which it is expected to realize under the head of "Revenus des Administrations de Recettes" is £ E. 3,000 less than the amount obtained in 1889. The railway receipts are taken at £ E. 1,352,000, which is, I think, a moderate figure, as it may be expected that, in view of the favourable harvest of this year, the falling off in the carriage of cereals, which affected considerably the receipts of 1889, will not continue.

Under the head of "Post Office," provision has been made for a diminution of the receipts to the extent of £ E. 16,000, in consequence of the introduction of a cheaper postal service throughout the interior of Egypt. Doubtless, as in other countries, the reduction will eventually result in increased receipts. Allowance has also been made for a further reduction of £ E. 10,000 in the receipts from this source, owing to the transfer of the post boats in Upper Egypt to Messrs. Cook and Sons.

I have already pointed out that the receipts of last year showed no diminution in spite of this transfer, and it would, therefore, appear unnecessary to make any reduction on this account in the estimated receipts of 1889.

The postal steamers are estimated to bring in £ E. 130,000, which was the amount realized from this source in 1888. The receipts, however, of 1889 came to £ E. 150,000, and there appears no reason why this figure should not be attained in the current year.

Turning to the "Recettes des Services Administratifs," it will be seen that the estimate is less than the actual receipts of last year by £ E. 22,000. The receipts from the Ministry of Justice are taken at £ E. 340,000, which was the figure reached in 1889. The "Rachat Militaire" is expected to realize £ E. 100,000, as compared with £ E. 91,000 in 1889. This item is one of which it is always difficult to form any accurate estimate, but the Budget figure does not appear excessive.

The revenue expected under the remaining heads of Account appears to me estimated at a moderate figure, and does not call for any special observations.

The total estimated revenue of 1890 is taken at £ E. 9,650,000, being £ E. 54,000 more than the actual revenue of 1889. The principal items have, in general, been very moderately estimated, and it is not improbable that, if the year continues favourable, some of them may be exceeded. The receipts from the house tax, the Post Office, and the postal steamers, if taken on the basis of the actual receipts of 1889, will be about £ E. 40,000 more than the estimate.

It must not be forgotten, also, that if the French Government persist in their refusal to assent to the Conversion scheme, a further sum of £ E. 150,000 will be produced by the small additional tax which will be levied on the land.

Estimates of Expenditure in 1890.

The estimated expenditure of 1890, and the actual expenditure of 1889, under the different major heads of Account, is shown in the following Table:—

Head of Account.	1889 Accounts.	1890 Estimates.	Estimates of 1890 greater (+) or less (−) than Accounts of 1889.
	£ E.	£ E.	£ E.
I. Liste Civile, Allocations, et Cabinet du Khédive ..	271,000	275,000	+ 4,000
II. Frais d'Administration et de Perception ..	1,763,000	1,820,000	+ 57,000
III. Dépenses des Administrations de Recettes ..	874,000	932,000	+ 58,000
IV. Sécurité Publique	824,000	767,000	− 57,000
V. Gouvernorat de Suakin	28,000	25,000	− 3,000
VI. Pensions	504,000	475,000	− 29,000
VII. Tribut et Dette Non-Consolidée	1,178,000	1,233,000	+ 55,000
VIII. Dépenses imprévues	..	15,000	+ 15,000
IX. Suppression partielle de la Corvée	250,000*	250,000	..
X. Service de la Dette Consolidée	3,708,000	3,708,000	..
Total	9,400,000	9,500,000	+ 100,000

* Exclusive of expenditure charged on receipts from corvée redemption.

The expenditure under the head of "Liste Civile, Allocations, et Cabinet du Khédive" has been increased by £ E. 10,000, being the sum provisionally abandoned by His Highness out of the amount fixed by the Budget of the London Convention, in order to afford relief to the Treasury. It has been diminished by the commutation of the allowance of one of the members of the Khedivial family. The net increase over the figure of 1889 amounts to £ E. 4,000.

Under the head of "Frais d'Administration et de Perception," the estimated expenditure is taken at £ E. 57,000 more than the actual expenditure of 1889. The Ministry of Public Instruction has been granted an additional £ E. 10,000, which will help towards providing for the educational requirements of the country. The Ministry of Justice is expected to cost £ E. 17,000 more than in 1889, as the new Native Courts in Upper Egypt were only in working order during the latter half of last year.

The expenditure under the heads of "Services Divers des Ministères," "Services Administratifs et de Perception des Provinces," and Customs, is also taken at an increased figure, in consequence of various minor reforms which it is proposed to institute.

Turning to the "Dépenses des Administrations de Recettes," it will be seen that the expenditure on this account is expected to exceed by £ E. 58,000 that of 1889. The railway expenditure is taken at £ E. 637,000, which is the full 45 per cent. on the estimated receipts of £ E. 1,352,000. This amount includes a sum of £ E. 52,000, which represents the annuity payable in respect of the proposed extension of the railways. No allowance has been made for any receipts from this source, as the new lines will not be in working order before the end of the year.

Under the head of "Sécurité Publique," a diminution of £ E. 57,000 is expected over the expenditure of 1889. The saving occurs principally in the Budget of the Ministry of War, the expenditure in this Department in 1889 having been abnormally high, owing to the disturbances on the frontier. Police and prisons are estimated to cost £ E. 8,000 more than in 1889. The expenses of the Army of Occupation are taken at £ E. 90,000.

The Pension charge is taken at £ E. 475,000, being £ E. 29,000 less than the figure of 1889. The reasons for which a steady diminution in this charge may be expected have already been explained.

The expenditure under the head of "Tribut et Dette Non-Consolidée" is taken at £ E. 55,000 more than the actual expenditure of 1889. This is principally owing to the fact that the Domains and Daïra deficits, which amounted to £ E. 128,000 in 1889, are estimated at £ E. 170,000 in the Budget of 1890. The latest accounts tend to show that the deficit may not improbably amount to £ E. 200,000, that is to say, £ E. 30,000 more than the Budget Estimate.

I have already explained that since the publication of the Budget, it has been decided to expend an additional £ E. 150,000 in entirely suppressing the corvée.

The Budget Estimate for 1890 shows, as I have already stated, a surplus of £ E. 150,000.

For the reasons which I have given above, it is possible that both the revenue and expenditure may be slightly in excess of the Budget Estimate. It may, however, be expected that, in view of the moderation with which the Estimates in general are framed, the surplus ought certainly not to be less and may possibly be greater than the figure of the Budget.

The principal feature of the Budget of 1890 is that, while a fairly large surplus is shown, attention has been paid to reducing those taxes which at present press most hardly upon the poorest classes of the population. The relief afforded by the measures to which I have already referred is estimated at £ E. 121,000, made up as follows :—

	£ E.
Reduction of the professional tax	70,000
Abolition of octroi on rice and at Rosetta	7,000
Abolition of the weighing tax	28,000
Reduction of postal charges	16,000
Total	121,000

Moreover, if the French agree to the conversion, a sum of £ E. 150,000 out of the economy realized will be devoted to the abolition of taxation in its worst and most uneconomical form, namely, the system of forced labour known by the name of corvée.

Further, the extension of the postal service in the interior, and the establishment of a house to house delivery in Cairo and Alexandria, as well as the increased expenditure of £ E. 10,000 upon public instruction, are measures of which the benefit is felt entirely by the inhabitants of the country.

The Budget of 1890 has been drawn up on the supposition that it will not be possible to carry into execution the project for the conversion of the Preference stock. The latest proposals of the Egyptian Government on the subject are at present under the consideration of the French Government, and it is not yet known whether there is any probability of their assent being obtained. Should the scheme be carried an annual economy of £ E. 170,000 will be realized, which will be employed, as I have already explained, to the extent of £ E. 150,000 in entirely abolishing the corvée.

The scheme includes, moreover, the raising of a loan of £ E. 1,200,000 for public works and the exchange of pensions. A certain portion of this expenditure has been already incurred, and, in any case, its continuance is of vital importance to the prosperity of the country.

If the Conversion scheme be not carried, it will be necessary for the Egyptian Government to issue a small loan, which will, of course, be exclusively employed in purely remunerative operations.

Money is required for three objects, namely: (1) Irrigation and drainage works; (2) commutation of pensions; (3) extension of the railway system.

It is estimated that about £ E. 1,250,000 will be required for irrigation and drainage works during the next three years. Of this sum £ E. 25,000 has been already spent, and £ E. 365,000 will be expended in the course of the current year.

A sum of £ E. 250,000 was advanced by the Ministry of Finance in 1889, in order that the commutation of pensions into land and money might be proceeded with. Means must be found before long to repay this sum, and to provide for the expenditure of £ E. 210,000 on this account in the current year.

Lastly, it is proposed to spend £ E. 860,000 on railway extension during the next three years.

The immediate wants of the Government under these three heads amount to £ E. 1,050,000, made up as follows :—

	£ E.
Public works expenditure incurred in 1889	25,000
Ditto, to be incurred in 1890	365,000
Amount spent in exchange of pensions in 1889	250,000
Ditto, to be spent in 1890	210,000
Amount to be spent in railway extension in 1890	200,000
	1,050,000

If the present attitude of the French Government change and the Conversion scheme be accepted, the problem of finding the amount at once required by the Egyptian Government solves itself. Otherwise it will be necessary to issue, either at

once or at intervals, the balance of the loan of £ E. 5,000,000, which the Egyptian Government has been authorized by the Porte to raise.

One further observation on the Budget of 1890 remains to be made. It will be observed that the total administrative expenditure provided for in the Estimates exceeds the limit fixed by the London Convention and subsequent Decrees by £ E. 75,000. It is true that the Government share of the surplus more than covers this excess, but the inexpediency of the course adopted by the Convention of 1885, in imposing a fixed limit to the administrative expenditure of the Government, becomes each year more apparent. As the prosperity of the country increases, the wants of the population and the expenses of the Administration grow in proportion, and, so long as the financial resources of the country are not exceeded, it is, generally speaking, the wisest and most economical course to utilize the increase of prosperity in providing for the new requirements of the people. Under the present system, the greatest difficulty is placed in the way of any such policy. In order to provide for any expenditure which is beyond the limit fixed by law, it is practically necessary for the Egyptian Government to increase the revenue by double the amount of the proposed expenditure. It is obvious that a system of this kind offers the greatest obstacles to financial reform and to the development of the resources of the country.

(Signed) J. L. GORST.

Cairo, February 20, 1890.

Inclosure 2 in No. 1.

Memorandum.

THE falling off in trade shown by the Returns of the Egyptian Custom-house for the last few years has lately attracted considerable attention and caused a certain amount of uneasiness, and even alarm, among certain sections of the community. Various theories have been put forward in explanation of the fact, and one in particular deserves special attention on account of the serious issues it would involve if true. It is, that the diminution of imports is caused by the gradual impoverishment of the fellaheen, due to over-taxation. If this explanation be correct, it would tend to show that the present flourishing condition of Egyptian finance is, to a certain extent, spurious, and has only been attained by imposing on the people sacrifices which they cannot continue to support. The matter is obviously one of the first importance, and I have, therefore, thought it worth while to analyze with some care the Custom-house Returns of the last few years, with a view to seeing whether any trustworthy conclusions can be drawn from them as to the causes of the apparent depression to which I have alluded. I have not considered it desirable to go farther back than 1884, firstly, because the Custom-house Returns previous to that year are incomplete and the details of doubtful accuracy, and, secondly, because the circumstances of the years immediately preceding 1884 were very abnormal, and it would be consequently impossible to base on the statistics of those years any conclusions of real practical value.

The following Table gives the imports and exports for the six years from 1884 to 1889, both inclusive. For the sake of brevity, I have taken £ E. 1,000 as the unit in all Tables of value throughout the Memorandum :—

[000's omitted.]

	1884.	1885.	1886.	1887.	1888.	1889.
	£ E.	£ E.	£ E.	£ E.	£ E.	£ E.
Imports	8,214	8,989	7,848	8,137	7,738	6,950
Exports	12,549	11,425	10,130	10,876	10,418	11,940
Total ..	20,763	20,414	17,978	19,013	18,156	18,890

It will be seen that the average annual imports in the three years 1886-87-88 show a small falling off as compared with the two previous years, and that in 1889 a further and very considerable decrease has taken place. The exports, on the other hand, while showing a noteworthy falling off in the triennial period from 1886 to 1888, have in the year that has just come to an end almost attained their former average.

The principal articles imported into Egypt, together with their values for each of the years of the period under consideration, are given in the following Table:—

[000's omitted.]

Articles.	1884.	1885.	1886.	1887.	1888.	1889.
	£ E.	£ E.	£ E.	£ E.	£ E.	£ E.
1. Live animals	121	183	124	165	170	72
2. Butter and cheese	127	123	130	131	146	104
3. Boots and shoes	112	128	117	107	101	82
4. Candles	56	63	46	41	40	27
5. Wheat	63	146	205	61	41	124
6. Rice	78	111	137	178	124	129
7. Wheat and maize flour ..	63	125	152	102	88	104
8. Fresh and dried fruits.. ..	161	178	194	172	189	171
9. Refined sugar	144	109	113	72	40	40
10. Coffee	252	202	175	240	297	254
11. Wine	132	157	170	156	135	124
12. Beer	82	126	104	93	71	59
13. Alcohol	84	102	90	75	75	70
14. Olive oil	74	91	78	89	82	103
15. Petroleum	144	157	139	161	119	177
16. Wood for building, &c. ..	287	326	320	290	316	292
17. Charcoal	75	70	60	78	82	77
18. Coal	487	451	364	407	442	441
19. China and glass	95	113	95	78	90	80
20. Indigo	279	249	180	223	234	177
21. Common soap	133	139	128	117	70	69
22. Cotton thread	154	147	130	133	135	131
23. Cotton piece-goods	1,550	1,611	1,320	1,380	1,239	1,048
24. Raw silk and silk thread ..	156	200	86	121	121	76
25. Silk piece-goods	104	111	77	73	56	58
26. Woollen piece-goods	199	235	106	123	153	96
27. Sacks	111	109	77	60	85	97
28. Made-up linen	151	180	162	199	214	140
29. Ready-made clothes	183	209	203	163	199	178
30. Iron and steel	255	232	234	227	247	270
31. Copper	103	126	85	98	57	45
32. Machines and parts of machines .	160	161	132	505	261	104
33. Haberdashery	225	184	154	110	123	98
34. Tobacco, tombac, and cigars ..	322	274	283	268	270	272
Total	6,722	7,128	6,170	6,496	6,112	5,389

The value of the articles enumerated in the above Table is about 80 per cent. of the total imports. A certain number of them have been affected by special circumstances, and should be omitted in making a comparison of the figures of each year. Wheat, rice, and wheat- and maize-flour are produced in the country itself, and the amount of these articles imported must depend principally upon the home area devoted to their cultivation, upon the harvest of the year, and upon the quantity consumed in the country. A falling off in the imports under these heads may consequently be a sign of increased prosperity. The importation of refined sugar has diminished in consequence of the establishment of sugar-refining in the country itself. The manufacture of soap has been commenced within the last year or two at Alexandria, and this fact accounts for the diminished imports under that head. Machines were imported abnormally in 1887 and 1888 by the Railway Administration and the Suez Canal Company. Lastly, changes in the legislation respecting tobacco have had a material effect on the importation of that article. Omitting the amounts imported under these 7 heads, the total imports of the 27 remaining articles in the above Table are:—

[000's omitted.]

1884.	1885.	1886.	1887.	1888.	1889.
£ E.	£ E.	£ E.	£ E.	£ E.	£ E
5,759	6,063	5,020	5,293	5,218	4,547

It will be observed that the result of making these corrections has been to accentuate the differences between the three periods 1884-85, 1886-88, and 1889. The imports of 1884 and 1885 were doubtless abnormally high, owing, firstly, to the Nile

campaign, and, secondly, to the borrowing of a loan of 9,000,000*l.*, and the payment of the Alexandria indemnities, which gave a considerable stimulus to trade in 1885. Moreover, the reductions carried out in the last few years in the numbers of the Army of Occupation have, of course, tended to cause the importation of certain articles to fall off. If these circumstances be taken into account, it will be seen that the diminished importation which took place in 1886, and which was only partially made up in 1887 and 1888, is of less importance than would at first sight appear. In any case, however, the serious decrease which took place in 1889 does not admit of any explanation due to the special causes to which allusion is made above.

If the statistics of each separate article in the above Table be examined, it will be seen that the diminution in the three years 1886-87-88 is chiefly due to a falling off in the importation of cotton, woollen, and silk goods, and, in a minor degree, indigo, sacks, copper, haberdashery, and a few other articles of comparatively little importance. The amounts imported under the remaining heads during the period in question show no very appreciable difference when compared with the two previous years. In 1889, however, the importation of every single article has decreased with the exception of olive-oil, petroleum, coal, iron and steel, and sacks. The increase in the latter article is, of course, due to the good harvest of last year, which caused a large demand for sacks. Wheat, rice, and wheat- and maize-flour were also imported to a greater extent than in the previous year, but this is doubtless due to the bad harvest of 1888, which was especially disastrous to cereals.

It will be seen that the falling off in the imports of 1889 occurred principally in live animals, butter and cheese, candles, wine, beer, made-up linen and haberdashery—all articles consumed more especially by the upper and middle classes—and in cotton and woollen goods, indigo, copper, and boots and shoes, the consumption of which articles extends to all classes of the population.

Before attempting to arrive at any conclusion as to how far the fellaheen have been affected by the diminution of imports, it is necessary to consider what articles of foreign production they consume. The principal of these are, of course, cotton goods. Next in importance comes indigo, with which the peasants' "Galoubieh" is invariably dyed, and which must be imported almost exclusively for this purpose. Coffee and tobacco are also articles of universal consumption from the richest to the poorest classes. The few utensils in use among the agricultural population are generally made of copper. They are manufactured in the country, but the raw material is, of course, imported.

With the exception of these articles, the demand of the fellaheen for foreign produce may be regarded as a "quantité négligeable." A few glass lamps for petroleum, a little crockery, and some cheap glass mirrors in tawdry frames, are the only objects to be met in the fellah's house which could possibly have had a foreign origin. Of luxuries, in the ordinary sense of the word, he is utterly destitute, and if he occasionally finds himself in the possession of a little extra ready money, he expends it in buying clothes or cheap trinkets for the female members of his family, or, perhaps, in an increased consumption of tobacco.

From the brief analysis I have already made of the imports, it will be seen that from 1886 to 1888 the articles in the importation of which the falling off was most conspicuous were those which are consumed, though not, of course, exclusively consumed, by the poorer classes. The decrease in cotton goods and copper especially point to this conclusion. In the case of the former, however, it must not be forgotten that in 1885 the stock of cotton manufactures in the country was very considerably increased owing to an expectation that the Soudan market would be reopened. This expectation was disappointed, and a reaction was accordingly felt in the following year. The same explanation may be given of the diminution in the importation of indigo, which occurred in 1886. Coffee, on the other hand, has undergone several fluctuations, and the amount imported attained its maximum in 1888.

In 1889, the tendency of the above-mentioned articles to fall off has increased with considerable rapidity, and has extended to most other branches of the import trade, including such articles as affect more especially the richer classes and the European communities.

It remains to be considered what are the causes of this state of things. Before entering upon this part of the subject, I would again point out that the diminution of imports in the three years from 1886 to 1888 is, when the special causes affecting the two previous years are taken into account, not nearly so great as appears at first, and need inspire no very serious uneasiness. Doubtless, the consumption by the fellaheen of certain articles of foreign manufacture has decreased, but it is possible that this may

be, in part, accounted for by a greater expenditure in other directions, and especially in tobacco, as, in consequence of the new legislation in reference to that article, the price of native-grown tobacco, which has hitherto been preferred by the poorer classes, has doubled in the last year or two. On the other hand, the falling off in imports which occurred in 1889 is very considerable. I hope, however, to show that the explanation is to be found in the somewhat exceptional circumstances of the last few years, which need not necessarily, and probably will not, be of a permanent character.

The prosperity of a purely agricultural country, such as Egypt, must in the last resort depend upon the annual produce of the soil. Leaving out of account questions, on the one hand, connected with the borrowing of capital, and, on the other hand, connected with the payment of foreign tribute and interest, the goods which the inhabitants of the country import for their consumption must be paid for with the surplus produce which they export.

The following Table shows the value of the principal articles of export, forming about 90 per cent. of the whole, in each of the six years from 1884 to 1889 :—

[000's omitted.]

Articles.	1884.	1885.	1886.	1887.	1888.	1889.
	£ E.	£ E.	£ E.	£ E.	£ E.	£ E.
1. Cotton	8,238	7,706	7,121	7,543	6,823	8,538
2. Cotton seed	1,464	1,439	1,282	1,277	1,310	1,454
3. Beans	722	697	468	524	479	327
4. Sugar	376	579	453	490	541	495
5. Wheat	439	149	79	170	305	166
6. Rice	136	130	109	134	110	75
Total	11,375	10,700	9,512	10,138	9,559	11,055

It is necessary in dealing with this branch of the subject to take into consideration any changes that may have occurred in the prices of the chief exports. So far as imports are concerned, it appears to me that the question of prices does not in Egypt have any very considerable direct influence upon the total value of the articles imported. These articles are, for the most part, manufactured articles, which are not, and are not likely to be, produced in the country. They are not, therefore, liable to meet with the competition of home manufactures, and, though changes in price may cause variations in the relative quantities imported of different commodities, the total value of the imports must depend upon the wealth available to pay for them, any increase in prices being met by a corresponding reduction in the quantity imported and *vice versâ*.

The case, however, is different when exports are considered from the point of view of their connection with the prosperity of the country. Here the question of price plays a very important part. It fixes the purchasing power of the articles exported, and, therefore, indirectly has a considerable influence upon the imports.

The following Table gives the average annual prices of the chief articles of export from 1884 to 1889, inclusive :—

Articles.		1884.	1885.	1886.	1887.	1888.	1889.
		£ E. m.	£ E. m.	£ E. m.	£ E. m.	£ E. m.	£ E. m.
1. Cotton	Per cantar ..	2·680	2·416	2·331	2·459	2·535	2·662
2. Sugar	„ „ ..	0·685	0·583	0·532	0·493	0·574	0·677
3. Cotton seed ..	„ ardeb ..	0·739	0·694	0·561	0·553	0·631	0·692
4. Beans	„ „ ..	0·792	0·710	0·778	0·767	0·720	0·756
5. Wheat	„ „ ..	0·710	0·809	0·989	0·825	0·737	0·813
6. Rice	„ „ ..	2·700	2·488	2·213	2·478	2·355	2·532

A cantar = 7 stone. An ardeb = $5\frac{1}{2}$ bushels. An Egyptian £ = 1*l.* 0*s.* 6*d.*

It will be seen from the above figures that the price of cotton fell from 1884 to 1886, and has since been steadily rising. In the case of cotton-seed and sugar, the tendency to diminish in price continued up to 1887. The price of beans and wheat has

fluctuated considerably. The former was highest in 1884 and 1886, and lowest in 1885 and 1888. The latter rose up to the year 1886, then fell till 1888, and has recovered somewhat in 1889. The price of rice decreased up to 1886, and then improved. Generally speaking, the prices of 1889 are higher than in any of the years in question, with the single exception of 1884, while every article except beans and wheat attained its lowest price between 1886 and 1887.

The amount of produce sent out of the country in the years under consideration, apart from the question of price, is given in the following Table, which shows the quantities exported of each of the more important articles :—

Article.	Unit adopted.	1884.	1885.	1886.	1887.	1888.	1889.
1. Cotton	100 cantars..	30,736	31,888	30,408	30,670	26,918	32,062
2. Sugar	„ ..	5,500	9,940	8,514	9,933	9,427	7,304
3. Cotton seed ..	1,000 ardebs	1,981	2,075	2,284	2,290	2,075	2,099
4. Beans	„	912	980	611	684	653	432
5. Wheat	„	618	185	80	206	414	204
6. Rice	„	51	52	49	54	47	30

Looking at these figures, it will be seen that the harvests of 1886 and 1887 do not compare unfavourably with those of the two previous years. Though the cotton crop fell off slightly, there was a considerable increase in the amount of cotton-seed exported. In 1888, the cotton crop was materially affected by the very high Nile of the previous year and the ravages committed by the cotton worm, while in the year that has just come to an end, the amount of cotton exported has considerably exceeded even the figure of 1885. The prosperity of the country depends practically upon this crop, which forms about two-thirds of the total exports. Turning to the other articles enumerated above, sugar has practically maintained the considerable increase which occurred in 1885, though the quantity exported in 1889 has fallen off somewhat on account of the establishment of sugar refineries which supply the home demand, and thereby dispense with the necessity of exporting the raw produce and importing in its place refined sugar. Beans show a considerable falling off since 1885, partly owing to their cultivation having fallen into disfavour on account of the risky character of the crop, and partly owing to increased consumption in the country itself. Wheat has fluctuated considerably in the period under consideration, and the amount exported in 1889 has again fallen off owing to the previous year being very unfavourable for cereals. The export of rice remained fairly steady up to 1889, in which latter year it diminished.

The explanation of the fact that rice is both imported and exported in considerable quantities is that Egyptian-grown rice is much appreciated in Turkey, and is, therefore, sent to that country, a cheaper quality being imported for home consumption. The falling off in the amount exported last year may be, in part, explained by a greater amount having been consumed in the country itself.

On the whole, taking into consideration both the quantity and value of the principal articles exported, it is, I think, clear that the three years from 1886-88 were unfavourable for Egyptian agriculture. In the two first of these years the chief cause of the depression was the fall of prices which began in 1885, but which was in that year compensated by an exceptionally good harvest.

In 1888, the cause was the partial failure of the cotton crop.

What, therefore, has apparently happened is that the effect of these three unfavourable years was only partially felt at the time, and did not react with its full force upon the imports until 1889. In the three previous years, Egypt had been exporting a smaller value of produce, and it, therefore, became requisite to import less in order to balance her account with Europe. It is unnecessary to make further investigations or to put forward theoretical speculations of doubtful value when so simple and obvious an explanation is ready to hand. There is, moreover, nothing extraordinary in the fact that, in a country situated as Egypt is, the agricultural population have been materially affected by the depression. That this was the case was sufficiently clearly shown when I pointed out in what articles of import the falling off was most marked. An additional indication leading to the same conclusion is, perhaps, given by the Returns of the amount of ingots of gold and silver exported since 1885. It is stated on good authority that these ingots consist for the most part

of melted-down gold and silver ornaments sold by the more well-to-do portion of the agricultural population in the villages. According to the Customs Returns, none were exported in 1884 or 1885 : the figures for the following years are :—

[000's omitted.]

1886.	1887.	1888.	1889.
£ E.	£ E.	£ E.	£ E.
61	97	122	281

These figures appear to point to the conclusion that the fellaheen have recently been paying for the imported articles which they consume with the accumulated savings of previous years. This is a process which cannot, of course, continue indefinitely. The actual amount involved is, however, too small, and the period during which this process has been going on too short, to enable any definite conclusions to be drawn at present on the subject, and it may not unreasonably be hoped that it will be checked by the favourable conditions of the past year.

On the whole, therefore, I am of opinion that there is no particular reason to feel alarm for the future. It may be hoped that the combination of low prices and bad harvests will not be of frequent occurrence in the economic history of Egypt. The year 1889 has been a favourable one. The harvest was better and prices higher than for some time past. The improvement came too late to counterbalance in the year itself the effects of the previous period of depression in diminishing the amount of imports, but in the last quarter of 1889 there are signs that the tide has turned, and that the increase of exports has begun to produce its normal effect of increasing imports. The monthly Returns of the Custom-house showed a considerable falling off in the imports of each month, as compared with the corresponding month of the previous year, down to the end of September ; since then there has been a considerable increase over the corresponding Returns of 1888. This fact would appear to show that the explanation given above of the causes of the diminution of imports is the true one, and that, in view of the good harvest of last year, there is hope that the tendency of imports to increase will continue in 1890.

The conclusion, therefore, at which I arrive is the very common-place one that, in a country like Egypt, the imports must depend upon the value of the products exported, and that the only way to increase the former is to give every possible encouragement to the agricultural industries of the country by means of careful administration, and a reduction, so far as is compatible with financial stability, of the burdens that press upon the land.

It may be interesting, before I conclude this Memorandum, to examine how far the Custom-house Returns of the last six years throw any light upon what may be expected in the immediate future. The total value of the imports during that period amounted to £ E. 47,876,000, and of the exports to £ E. 67,338,000. Moreover, gold and silver money was imported to the value of £ E. 14,933,000, and was exported to the value of £ E. 11,162,000. The exports, therefore, including money, exceeded the imports, including money, by £ E. 15,691,000. During the six years in question the total amount due on account of foreign tribute and interest on debt, which is almost entirely held out of the country, was about 30 millions, while two loans were contracted amounting together to about 11 millions. In order, therefore, to have balanced her account with Europe, Egypt should have exported 19 millions more than she imported. As a matter of fact, the excess of exports over imports was only 15½ millions. The difference is probably accounted for by the fact that the cost of the Nile campaign of 1884-85 was defrayed by England, and 3½ millions is a very moderate estimate of the amount which must have come into the country under this head, either directly in the form of imports or indirectly in the form of balancing accounts.

During this period, then, the account between Egypt and Europe has practically balanced. It must not, however, be forgotten that this was only affected by borrowing 11 millions. This resource cannot be relied upon in future years. Only small loans are likely to be contracted, and those for strictly remunerative purposes. Under present conditions, the average value of the exports cannot be expected to exceed 12 millions in ordinary years. Of this 5½ millions goes in interest and tribute, leaving 6½ millions to be expended in imports for the consumption of the country. The only natural way of increasing this figure is to develop the resources of the country, to augment the amount yielded by the soil, or to enlarge the area under cultivation by

means of irrigation and drainage works, the improvement of the means of communication and other public works of utility, and further to utilize the improved credit of the country in reducing the annual charge paid to foreign creditors.

(Signed) J. L. GORST.

Cairo, February 20, 1890.

No. 2.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, March* 31, 1890.

I HAVE received your despatch of the 20th ultimo, submitting a Report on the finances of Egypt for the year 1889.

You also inclose two Memoranda prepared by Mr. Gorst, in the first of which the accounts for 1889 and the estimates for 1890 are examined in detail, and in the second the present position of Egyptian trade is dealt with.

I quite concur in the opinion expressed by you as to the ability with which Mr. Gorst has carried out the duty assigned to him. His Reports enable a clear idea to be formed of the present financial situation, and I have to request that you will convey to him my approval.

Your despatch, and its inclosures, will be presented to Parliament.

I am, &c.

(Signed) SALISBURY.

EGYPT. No. 1 (1890).

REPORT on the Finances of Egypt, dated February 20, 1890.

Presented to both Houses of Parliament by Command of Her Majesty. April 1890.

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EGYPT. No. 2 (1890).

FURTHER CORRESPONDENCE

RESPECTING THE

FINANCES AND CONDITION OF EGYPT.

[In continuation of "Egypt No. 4 (1889):" C. 5718.]

Presented to both Houses of Parliament by Command of Her Majesty.
August 1890.

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[In continuation of "Egypt No. 4 (1889):" C. 5718.]

No. 1.

Sir E. Baring to the Marquis of Salisbury.—(*Received April* 22.)

My Lord, *Cairo, April* 8, 1889.

COMPLAINTS having been received from a village in the Mudirieh of Beni-Souef, to the effect that the inhabitants were subjected to arbitrary exactions not authorized by the Government, an inquiry into the conduct of the officials in that district was instituted by Riaz Pasha. I have the honour to inclose herewith a copy of the Report which has now been received on the subject. Your Lordship will observe that the proceedings of the Mudir himself are blamed by the two gentlemen who conducted the inquiry, and he will accordingly be brought before a "Conseil de Discipline," to reply to the charges that are made against him. In spite of the progress that has been made of late years in the direction of improved administration, it is to be feared that cases of this sort must from time to time be expected.

The present inquiry is, however, a satisfactory sign that corruption and oppression can no longer be practised with impunity, even in the more remote parts of the country, or by the highest officials, and it is to be hoped that the fear of detection and punishment will every year diminish the arbitrary and illegal actions which are still occasionally to be met with in the provinces.

I may mention, in connection with this subject, that the conduct of Ibrahim Pasha Tewfik, the Governor of Port Saïd, against whose administration complaints have been made, is also about to form the subject of an official inquiry.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 1.

Report addressed to Riaz Pasha respecting the Complaint against the Mudir of Beni-Souef and the Governor of Port Saïd.

M. le Président, *Le Caire, le* 6 *Mars*, 1889.

CONFORMÉMENT à l'ordre de votre Excellence en date du 4 Février dernier, nous nous sommes rendus à la Moudirieh de Beni-Souef, pour procéder à une enquête sur les plaintes de sept habitants du village de Kaï, qui accusent l'Omdeh de leur village d'avoir perçu illégalement une somme de £ E. 100 pour compte du Moudir.

Après un premier examen des documents relatifs à cette affaire existant à la Moudirieh ainsi que de l'enquête faite par la Moudirieh même, nous avons cru devoir, dans l'intérêt de notre mission, continuer nos recherches dans le village de Kaï même, où nous nous sommes transportés.

De l'ensemble des témoignages que nous avons recueillis et qui sont relatés dans les procès-verbaux ci-joints, nous avons dû conclure que lors de la cru du nil, l'Omdeh du village avait illégalement perçu de l'argent, sous prétexte d'achat de matériel destiné à la consolidation de la digue, et de paiement de salaires à des hommes prétendument loués pour compléter le contingent de 100 hommes de corvée que le village devait fournir et qui, du reste, n'a jamais été envoyé.

Les dépositions d'un grand nombre de témoins confirment en outre que lorsque les individus illégalement taxés refusaient de payer, l'Omdeh leur déclarait que les perceptions étaient ordonnées par la Moudirieh et faites pour le Moudir.

Nous sommes arrivés à la constatation des perceptions illégales en contrôlant les accusations des plaignants avec les témoignages :—

1. Des personnes indiquées par eux comme ayant assisté au paiement ;
2. Des gaffirs chargés d'amener les habitants chez l'Omdeh ;
3. Des personnes qui avaient avancé l'argent remis à l'Omdeh ;
4. De celles, notamment, qui ne s'étaient pas encore prononcées dans cette affaire, ni pour ni contre l'Omdeh ;
5. Du délégué du Cadi, du Serraf du village, et des Cheikhs de la localité ;
6. Du Mamour de la Moudirieh qui a surveillé les travaux de la digue ainsi que des Cheikhs des localités avoisinantes déclarant, qu'au moment de l'exécution de ces travaux, ils avaient en effet entendu parler de perceptions faites en dehors des impôts payés pour le Gouvernement.

Nous devons ajouter que ce n'est qu'avec peine que nous avons pu recueillir certains témoignages. Les Cheikhs du village, particulièrement, avaient commencé par nier absolument ces perceptions arbitraires, et ce ne fut qu'en présence d'autres témoignages, vraiment décisifs, qu'ils se décidèrent à avouer les faits, alléguant pour s'excuser, qu'ils avaient craint de contredire la déclaration qu'ils avaient déjà donnée à la Moudirieh, lors de son enquête et qui certifiait qu'aucune somme n'avait été illégalement perçue.

Nous avons le regret de dire encore que ces perceptions ont été faites de la manière la plus odieuse, sous le coup d'injures, de menaces, de violences et de voies de fait. Les malheureux contribuables étaient dépouillés de leurs habits, qui ne leur étaient rendus que contre remise d'argent. Le village était très pauvre, les perceptions étaient particulièrement vexatoires, et ce ne fut qu'au prix d'efforts inouïs et en aliénant une partie de leur misérable avoir, que les habitants ont pu les payer. En exemple nous citerons une Soudanienne qui, pour solder les 10 piastres imposées à son fils, fut contrainte de vendre pour un Napoléon un veau qu'elle possédait par moitié avec un autre habitant du village. Pour éviter le renouvellement de telles exactions, cette malheureuse abandonna la localité avec son enfant et alla s'établir au Caire.

Quand de tels faits viennent aggraver la pauvreté naturelle d'un village, ils n'expliquent que trop les causes du dépeuplement de certaines localités, et c'est ainsi que près de la moitié de la population de Kaï a déjà émigré.

Le Moudir a-t-il une responsabilité dans ces faits ?

Il faut d'abord remarquer que l'Omdeh ne se fut pas risqué à commettre aussi ouvertement de telles exactions dans un village, éloigné du chef-lieu de trois heures à peine, s'il n'eut compté sur un appui puissant.

Cet appui lui était-il vraiment acquis ? L'examen que nous avons fait des documents administratifs qui se rapportent à cet homme nous permet de répondre affirmativement et de déclarer que l'Omdeh était protégé par le Moudir.

En effet, Khalil-el-Kholo était Omdeh de Kaï depuis plusieurs années. A la suite de dissentiments qui avaient éclaté entre lui et les Cheikhs du village, le Moudir avait demandé au Ministère de l'Intérieur, par lettre en date du 4 Juin, 1888, la destitution de ces Cheikhs, tandis qu'il maintenait l'Omdeh en fonctions. Il basait sa demande sur ce fait que les Cheikhs avaient été condamnés à deux reprises par les Tribunaux à quarante-cinq jours de prison une fois, et l'autre fois à six mois de travaux forcés, que d'autres affaires étaient en cours d'instruction contre eux et particulièrement qu'ils s'étaient emparés de terrains appartenant à des habitants émigrés du village.

En répondant à cette demande, le Ministère de l'Intérieur, tout en approuvant en principe la révocation des Cheikhs, attirait l'attention du Moudir sur l'Omdeh et demandait si cet homme n'avait pas à sa charge des antécédents fâcheux comme ceux des Cheikhs.

Le Moudir se borna à informer le Ministère de la nomination des nouveaux Cheikhs, sans faire aucune mention de l'Omdeh. Le Ministère répondit de nouveau en acceptant ces nominations, et en insistant une seconde fois sur les antécédents qui pouvaient être relevés contre l'Omdeh.

Sur ce point les ordres de votre Excellence ont été clairs, précis, catégoriques, et donnés à deux reprises différentes. Le Moudir ne peut donc prétendre que ce point a échappé à son attention.

Or, l'Omdeh était incriminé pour les mêmes faits et condamné dans les mêmes affaires qui avaient entraîné la condamnation des Cheikhs et motivé la demande de révocation faite par le Moudir.

Par conséquent ce fonctionnaire a manqué à son devoir :

1. En ne signalant pas d'office à votre Excellence les antécédents judiciaires de cet Omdeh, en même temps qu'il faisait connaître ceux des Cheikhs.

2. En méconnaissant à deux reprises différentes les ordres de votre Excellence lui enjoignant d'élucider la question des antécédents de cet Omdeh.

Interrogé par nous, le Moudir a allégué que les condamnations judiciaires n'étaient pas définitives puisque la Cour d'Appel n'avait pas encore statué ; que du reste, il avait agi dans l'intérêt du Service et qu'il avait reçu l'approbation du Ministère. L'exposé que nous venons de faire démontre que cette approbation ne lui a été donnée que pour la révocation des Cheikhs. Du reste, le Moudir est en contradiction avec lui-même, car les condamnations n'étaient pas plus définitives pour les Cheikhs que pour l'Omdeh, et cependant il les signalait au Ministère.

Il faut encore ajouter qu'il existe en outre à la charge de l'Omdeh d'autres circonstances particulièrement aggravantes n'existant pas contre les autres Cheikhs, qu'il était incriminé dans des affaires de meurtre et que sa mauvaise conduite avait été signalée par la Moudirieh même dans les conclusions par elle soumises au Tribunal de Beni-Souef.

Le Moudir, d'ailleurs, reconnaît si bien la faute qu'il a commise que lui-même, à peine étions-nous arrivés dans la province, donnait l'ordre de licenciement de l'Omdeh, le jour même où nous écrivions notre Rapport à ce sujet, Rapport qui a motivé l'ordre de votre Excellence pour son renvoi.

Notre enquête nous a permis de constater qu'à d'autres circonstances, le Moudir avait donné ce même appui suspect à l'Omdeh dans des questions relatives à la location des terrains des émigrants qui lui avaient été adjugés à tort.

A ce sujet nous croyons devoir faire remarquer à votre Excellence que Khalil-el-Kholi ne possède en propre que 26 feddans, tous hypothéqués et en grande partie à Ahmed Bey Zagzoug, un des plus importants propriétaires du village et dont l'Omdeh soigne les intérêts. Khalil-el-Kholi ne vit que du produit des terres usurpées sur les biens des émigrés et de captations de terres de pauvres gens incapables de se défendre et de faire valoir leurs droits.

Indépendamment de ces abus, nous avons encore pu constater que, de concert avec le débitant du sel, dont il est le garant, il prend pour lui-même, il fait distribuer gratuitement à ses parents le sel dont le prix est ensuite réclamé aux plus pauvres des habitants du village, qui n'en avaient pas pris livraison.

Le Moudir pourrait-il ignorer ces faits ? Non, car ils auraient dû être constatés par lui comme ils l'ont été par nous.

En effet, à la réception de la première plainte des habitants de Kaï, votre Excellence, par considération pour les hautes fonctions du Moudir dont elle ne voulait pas suspecter l'honorabilité, le chargea lui-même de faire cette enquête.

Il se contenta de recueillir simplement les témoignages de ceux qui déclaraient avoir donné l'argent et de leur opposer les dénégations des parents des nouveaux Cheikhs et des parents de Khalil-et-Kholi, concluant que toute cette affaire n'était qu'une intrigue des Cheikhs révoqués.

Son enquête n'alla pas plus loin et son unique souci paraît avoir été d'éviter de mentionner dans le procès-verbal cette déclaration des plaignants, que les perceptions avaient été faites pour compte du Moudir.

Il omit particulièrement de prendre des informations auprès des habitants qui ne s'étaient pas encore prononcés dans l'affaire, et à aucun moment il ne s'est inquiété de savoir si les faits incriminés n'étaient pas connus des villages voisins.

L'affaire en était demeurée là depuis quatre mois, et ce fut sur de nouvelles plaintes des habitants incriminant l'enquête faite par la Moudirieh que votre Excellence a bien voulu nous désigner pour la renseigner sur l'état véritable des choses.

Indépendamment de l'affaire de Kaï, dont nous venons d'achever l'exposé, notre examen des documents de la Moudirieh nous a malheureusement fait découvrir d'autres cas où nous avons constaté la même inobservation des ordres de votre Excellence et le même appui suspect donné par le Moudir à des personnages nullement recommandables.

Nous signalons d'abord l'Omdeh de Bouche, Mohammed-el-Arif. De nombreuses accusations ont été portées contre cet Omdeh : par le Mamour du district, par le Vékil même de la Moudirieh et par le Service des Irrigations, accusations dont le Moudir ne semble avoir tenu aucun compte. Obligé enfin, sur les plaintes réitérées des ingénieurs, et en présence des ordres de votre Excellence, de le traduire devant les Tribunaux, il n'a pas exécuté la sentence judiciaire condamnant l'Omdeh à la perte de son titre et à trois mois en prison. Bien plus, il n'a pas communiqué la sentence

à votre Excellence, et, pour cacher la situation, comprenant que cet homme ne pouvait plus être conservé comme Omdeh, il a transmis au Ministère de l'Intérieur une proposition de l'Omdeh même demandant à être remplacé par son propre fils.

Nous pouvons encore citer l'exemple de deux Moavins de la Moudirieh qui, pour des faits graves, de concussion pour l'un, emprisonnement arbitraire et de violences pour l'autre, les victimes ayant été chargées de chaînes rivées à leur cou, devaient être, sur l'ordre de votre Excellence, traduits devant le Conseil de Discipline, sans préjudice des poursuites judiciaires.

Cet ordre remonte à plus de trois mois et jusqu'à présent il n'a pas été exécuté, sous prétexte que le Conseil de Discipline n'a pas eu l'occasion de se réunir. C'est cependant au Moudir qu'il appartient de provoquer cette réunion.

Cette conduite est d'autant plus inexplicable que, dans l'intervalle de ces trois mois, au moment de la confection du cadre personnel de la Moudirieh, ces deux Moavins ont été l'objet d'une faveur en étant maintenus dans leur classe, tandis que le troisième Moavin, dont la conduite est irréprochable, était descendu d'une classe.

Votre Excellence trouvera dans notre Rapport en Arabe nos appréciations sur la manière dont a été fait ce cadre d'organisation du personnel où la Moudirieh a tenu plus compte de certains intérêts personnels que de celui du Service.

Les procès-verbaux et les documents annexés à notre Rapport donnent la justification de nos assertions.

Veuillez, &c.

(Signé) JH. CHAKOUR, *Directeur du Secrétariat de la Comptabilité.*
HAFIZ RAMADAN, *Inspecteur des Finances.*

(Translation.)

Sir, *Cairo, March* 6, 1889.

IN accordance with your Excellency's instructions, dated the 4th February last, we went to the Mudirieh of Beni-Souef, to institute an inquiry into the complaints of seven inhabitants of the village of Kaï, who accuse the Omdeh of their village of having illegally collected the sum of £ E. 100 on behalf of the Mudir.

After a preliminary examination of the papers lying at the Mudirieh relating to this affair and a consideration of the results of the inquiry instituted by the Mudirieh itself, we considered it our duty, in the interest of our mission, to continue our investigations in the village of Kaï itself, and we accordingly proceeded thither.

From the body of the evidence obtained by us, which is recorded in the annexed Report of proceedings, we have come to the conclusion that, at the time of the rise of the Nile, the Omdeh of the village did illegally collect money, pretending it was required for the purchase of material for strengthening the dyke, and for the payment of men stated to have been hired to make up the number of 100 corvée labourers which the village was bound to furnish, which contingent, as a matter of fact, was never sent.

It is, moreover, proved by the evidence of a number of witnesses that, when the persons illegally taxed refused to pay, the Omdeh assured them that the levy was ordered by the Mudirieh, and raised for the Mudir.

We ascertained the fact of the illegal levies by checking the accusations of the complainants with the evidence:—

1. Of persons stated by them to have been present when the payment was made;
2. Of the gaffirs employed to bring the peasants to the Omdeh;
3. Of the persons who advanced the money paid to the Omdeh;
4. Of persons, especially, who had not previously expressed any opinion in the matter, either for or against the Omdeh;
5. Of the Cadi's deputy, of the Serraf of the village, and of the Sheikhs of the place;
6. Of the Mamur of the Mudirieh who superintended the works at the dyke, and of the Sheikhs of the neighbouring villages, who stated that it was true that when these works were being carried out, they had heard mention made of levies raised in addition to the taxes paid to the Government.

We have to add that the evidence of some of the witnesses was obtained with considerable difficulty. The Sheikhs of the village, in particular, at first absolutely denied that these arbitrary levies had taken place, and it was only when confronted with other witnesses whose evidence was absolutely convincing, that they were induced to state the real facts of the case, alleging, as an excuse for not having done

so before, that they were afraid to contradict the statement they had previously made to the Mudirieh at the inquiry held there, which statement was to the effect that no money had been illegally raised.

We regret to have to state that these levies were carried out in the most odious manner, abusive language, threats, violence and force being used. The unfortunate taxpayers were deprived of their clothes, which were only returned to them after they had paid the money demanded. The village was a very poor one, the levies were excessively burdensome, and it was only by great efforts, and by parting with some of their wretched effects, that the villagers were able to pay. To give an example, a Soudanese woman, in order to pay the 10 piastres demanded from her son, was forced to sell for one Napoleon a calf which belonged to her and another villager together. To avoid having to submit to further exactions of this kind the poor woman left the place with her child, and went to live at Cairo.

When a village, already poor, is still further impoverished by such occurrences as these, it is only too easy to account for the depopulation of certain districts; thus nearly half the inhabitants of Kaï have already left the place.

Does any responsibility attach to the Mudir in the matter?

We must begin by observing that the Omdeh would not have dared to practise these extortions in a village hardly 9 miles distant from the chief town unless he had been sure of powerful support.

Had he in reality such support? Having examined the official papers which refer to this man, we can answer the question in the affirmative, and declare that the Omdeh was protected by the Mudir.

Khalil-el-Kholo had been Omdeh of Kaï for several years. In consequence of differences which had arisen between him and the Sheikhs of the village, the Mudir, in a letter dated the 4th June, 1888, requested the Ministry of the Interior to remove these Sheikhs, while he kept the Omdeh in office. He justified his application on the ground that the Sheikhs had twice been sentenced to imprisonment by the Courts, the first time to forty-five days' imprisonment, and the second time to six months' hard labour, that other charges were being prepared against them, and, in particular, that they had appropriated land belonging to peasants who had left the village.

In reply to this request, the Minister of the Interior, while approving in principle the dismissal of the Sheikhs, called the Mudir's attention to the Omdeh, and inquired whether it was not the case that there were charges against the latter as grave as those against the Sheikhs.

The Mudir confined himself to informing the Ministry of the nomination of new Sheikhs, and did not mention the Omdeh at all. The Ministry replied approving of the appointments, and again called attention to the antecedents of the Omdeh.

Your Excellency's instructions on this point were clear, detailed, and categorical, and were given twice. The Mudir, therefore, cannot pretend that the point escaped his attention.

Now the Omdeh had the same charges brought against him, and was found guilty in connection with the same cases in which the Sheikhs were found guilty, and which the Mudir had referred to in justification of his request for their degradation.

Consequently, that functionary failed to do his duty:

1. In not of his own accord informing your Excellency of the criminal antecedents of this Omdeh at the same time as he reported those of the Sheikhs.

2. In ignoring, on two separate occasions, your Excellency's instructions directing him to clear up the question of this Omdeh's antecedents.

When questioned by us, the Mudir asserted that the judicial sentences were not final, since the Court of Appeal had not given its decision in the matter; that, moreover, he had acted in the interest of the public service, and that he had been approved by the Ministry. The account of the matter given above shows that the approval sent to him only applied to the dismissal of the Sheikhs. Moreover, the Mudir contradicts himself, for the sentences passed were not final in the case of the Sheikhs any more than they were in the case of the Omdeh, and yet he reported them to the Ministry.

We have to add that, in the case of the Omdeh, there are other specially aggravating circumstances which do not exist in the case of the other Sheikhs, that he was implicated in cases of murder, and that his misconduct had been called attention to by the Mudirieh itself in the reports submitted by it to the Court of Beni-Souef.

The Mudir, moreover, is so thoroughly conscious of the fault he has committed that he gave the order for the dismissal of the Omdeh the moment we arrived in the

province, on the very day on which we wrote our Report on the subject, in consequence of which your Excellency ordered his dismissal.

We have ascertained in the course of our inquiry that there are other cases in which the Mudir has given the same suspicious support to the Omdeh; he has done so in questions relating to the letting of the lands of emigrants which have been wrongly assigned to him.

In connection with this subject, we wish to point out to your Excellency that Khalil-el-Kholi possesses only 26 feddans of his own, all of which land is mortgaged, a great deal of it to Ahmed Bey Zagzoug, who is one of the largest land-owners in the village, and whose interests are protected by the Omdeh. Khalil-el-Kholi lives entirely on the produce of lands taken from the property of persons who have emigrated, and on lands out of which he has cheated poor people who are unable to defend themselves or assert their rights.

Apart from these abuses, we have also ascertained that, in league with the salt-vendor, whose surety he is, he takes salt for himself, and has it gratuitously distributed to his relatives, the money for it being afterwards claimed from the poorest inhabitants of the village, who have not had the salt.

Could the Mudir be ignorant of these facts? No, for he must have ascertained them in the same manner as we did.

Thus, when the first complaint was received from the inhabitants of Kaï, your Excellency, in consideration of the high office held by the Mudir, whose integrity you did not doubt, instructed that official to institute the inquiry himself.

He confined himself to simply collecting the evidence of the persons who stated that they had paid the money, and recording on the other side the denials of the relatives of the new Sheikhs and Khalil-el-Kholi's relatives, arriving at the conclusion that the whole affair was an intrigue of the degraded Sheikhs.

There his inquiry ended, and his chief care seems to have been to avoid any mention in the record of the declaration of the complainants that the impost was levied on the Mudir's account.

He omitted, in particular, to collect evidence from the villagers who had not yet expressed an opinion in the matter, and never troubled himself to ascertain whether the facts complained of were not known in the neighbouring villages.

There the matter rested for four months, and it was after receiving fresh complaints from the villagers, with regard to the inquiry made by the Mudirieh, that your Excellency decided to appoint us to report on the real state of the case.

Apart from the Kaï affair, described above, we have, in the course of our examination of the papers of the Mudirieh, discovered other cases in which we observe the same disregard of your Excellency's instructions, and the same suspicious support given by the Mudir to persons of bad reputation.

We may mention, first, the Omdeh of Bouche, Mohammed-el-Arif. Many charges have been brought against this Omdeh by the Mamur of the district, by the Vekil of the Mudirieh himself, and by the Irrigation Department, charges to which the Mudir does not appear to have paid any attention. Forced at last to prosecute him, in consequence of the repeated complaints of the engineers, and in view of your Excellency's instructions, he failed to carry out the judicial sentence, condemning the Omdeh to lose his rank and to be imprisoned for three months. More than that, he omitted to inform your Excellency of the sentence, and, in order to hush up the matter, seeing that the man could not be allowed to continue to hold the office of Omdeh, he transmitted to the Ministry of the Interior a proposal from the Omdeh himself that he should be replaced by his own son.

We may also mention the case of two Moavins of the Mudirieh, who, according to your Excellency's instructions, were to be brought before the Council of Discipline, without prejudice to judicial proceedings, for grave offences, the one for peculation, the other for arbitrarily imprisoning and assaulting people, his victims having been loaded with chains rivetted round their necks.

These instructions were given more than three months ago, and have not yet been acted on, on the pretext that the Council of Discipline has not been able to meet. It was, however, the Mudir's duty to convene the Council.

His action is the more inexcusable from the fact that, in the course of these three months, when the staff of the Mudirieh was being settled, these two Moavins were specially favoured by being allowed to remain in their class, whilst the third Moavin, whose conduct is irreproachable, was reduced to the next class.

Your Excellency will find in our Arabic Report our views on the manner in which this organization of the staff was carried out, in the arrangement of which the

Mudirieh showed more regard for certain personal interests than for the interests of the public Service.

Our statements are justified by the Reports of proceedings, and the papers annexed to our Report.

We have, &c.
(Signed) JH. CHAKOUR, *Director of the Bureau of Accounts.*
HAFIZ RAMADAN, *Inspector of Finances.*

No. 2.

Sir E. Baring to the Marquis of Salisbury.—(Received by telegraph, May 8.)

My Lord, *Cairo, May 8, 1889.*

I HAVE the honour to report that messengers have recently arrived from the Khalifa, bringing letters for Her Majesty the Queen, the Khedive, and myself. The tone of these letters is of the same overbearing nature as were his previous communications.

The letter to the Queen incloses the letter from Her Majesty to King John of Abyssinia, which was conveyed by Mr. Portal. It is stated that this letter was taken by the Dervishes from the Abyssinians after a battle.

The messengers have been detained at the frontier, and the letters are on their way to Cairo. Should the letter to the Negus prove to be the original, it would certainly appear to confirm the report of his defeat and death.

The Egyptian Government would be very glad to be informed of any authentic intelligence in the possession of the Italian Government as to what has occurred on the Abyssinian frontier. From information received at Korosko, it would seem that the Abyssinians were defeated at Galabat, and that both the Negus and Ras Alula are dead.

I have, &c.
(Signed) E. BARING.

No. 3.

The Marquis of Dufferin to the Marquis of Salisbury.—(Received by telegraph, May 9.)

My Lord, *Rome, May 9, 1889.*

I HAVE the honour to report that this morning the Italian Government received the news, by way of Aden, that a courier had arrived from the seat of hostilities on the Abyssinian frontier with information that the Negus had been killed on the 8th March, at Metama, in the district of Gallabat.

It appears from the details received that Ras Alula and Ras Mikael fled, but that Ras Area and Ras Mariam were killed at the side of the Negus, and that the Abyssinian army suffered the most complete defeat.

I may mention in connection with this subject that Signor Crispi said yesterday, in reply to a question addressed to him in Parliament, that Italy was not desirous of conquests; but, as the situation in Abyssinia was modified, she had the right to profit by the friendship of Menelek.

His Excellency added, however, that there was no danger in waiting, nor was he yet prepared to indicate what course the Government might think fit to pursue.

I have, &c.
(Signed) DUFFERIN AND AVA.

No. 4.

Sir E. Baring to the Marquis of Salisbury.—(Received May 13.)

My Lord, *Cairo, April 30, 1889.*

IN my despatch to your Lordship of the 8th instant I stated that the conduct of Ibrahim Pasha Tewfik, the Governor of Port Saïd, against whom certain complaints had been made, was about to form the subject of an official inquiry. A

Commission composed of two Egyptians, Mahmoud Pasha Hamdi, the Secretary of the Ministry of the Interior, and Heshmet Bey, the Advocate-General and Acting Procureur-Général, as well as of two Europeans, Keller Pasha, one of the Law Officers of the Egyptian Government, and M. Mazuc, the Director-General of the Octroi, was sent to Port Saïd to inquire into the matter. These gentlemen have now returned to Cairo, where Ibrahim Pasha Tewfik is at present residing. As they have not as yet heard his defence, it would be premature to express any opinion on the subject. I understand, however, that the accusations brought against the Governor are of a very serious nature. If a *primâ facie* case is established against the accused he will be brought before the High Court of Discipline, a body expressly charged to deal with matters of this sort. I shall not fail to inform your Lordship of the subsequent proceedings in connection with this matter.

I have, &c.
(Signed) E. BARING.

No. 5.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 13.)

My Lord, *Cairo, April* 30, 1889.

I HAVE the honour to transmit herewith copy of a letter addressed by Riaz Pasha to the Minister of Finance, approving a proposal of the Finance Committee to wipe off arrears of taxes to the amount of about £ E. 168,000. The tax-payers will thus be relieved of a considerable burden of past debt.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 5.

Extract from the "Journal Officiel" of April 29, 1889.

MINISTÈRE DES FINANCES.

Traduction d'une Lettre en date du 25 *Avril,* 1889, *adressée au Ministère des Finances par la Présidence du Conseil des Ministres.*

DANS sa séance du 18 Avril courant, le Conseil des Ministres a pris connaissance de la note du Comité des Finances du 17 du même mois, par laquelle il expose que les arriérés dus au Gouvernement sur les Contributions Indirectes, telles que : impôts professionnels, impôts sur les moutons et chèvres, droits sur les pressoirs à huile, et impôts extraordinaires des terrains irrigués par le Canal Ibrahimieh, s'élèvent du 1er Janvier, 1880, au 31 Décembre, 1888, à la somme de £ E. 144,000, que les arriérés dus sur la culture des tabacs et tombacs s'élèvent du 1er Janvier, 1880, au 31 Décembre, 1887, à la somme de £ E. 24,000, soit un total de £ E. 168,000, et qu'en vue des difficultés que rencontre le recouvrement de ces arriérés il propose ce qui suit :—

1. De procéder à la radiation, sans vérification, des arriérés dus depuis le 1er Janvier, 1880, jusqu'à fin 1888, sauf en ce qui concerne les impôts professionnels des contribuables du Caire et d'Alexandrie imposés au-dessus de P. T. 200 l'an ;

2. La radiation, sans vérification, des arriérés dus sur la culture des tabacs et tombacs.

Le Comité des Finances ajoute que la radiation de ces arriérés serait un grand soulagement pour les contribuables, et d'un grand avantage au fisc puisqu'elle faciliterait le recouvrement des impôts dus.

La note fait ressortir, enfin, que la Caisse de la Dette Publique a consenti à cette radiation, en ce qui concerne les quatre provinces affectées et dont les arriérés s'élèvent à environ £ E. 17,000.

Après délibération, le Conseil a approuvé la radiation des susdits arriérés de la manière précitée.

Je prie, en conséquence, votre Excellence de vouloir bien donner à cette décision la suite qu'elle comporte.

Le Président du Conseil des Ministres,
(Signé) RIAZ.

(Translation.)

MINISTRY OF FINANCE.

Translation of a Letter dated April 25, 1889, addressed to the Ministry of Finance by the President of the Council of Ministers.

AT their meeting of the 18th April, the Council of Ministers read the note of the Finance Committee, dated the 17th, in which they point out that the arrears due to the Government from Indirect Taxes, such as: professional taxes, taxes on sheep and goats, taxes on oil-presses, and extraordinary taxes on the lands irrigated by the Ibrahimieh Canal, amount, from the 1st January, 1880, to the 31st December, 1888, to the sum of £ E. 144,000, that the arrears due on the tobacco crops and tombac amount to £ E. 24,000 from the 1st January, 1880, to the 31st December, 1887, making a total of £ E. 168,000, and that, in view of the difficulties in the way of recovering these arrears, they make the following proposals:—

1. To cancel, without verification, the arrears due from the 1st January, 1880, to the end of 1888, with the exception of professional taxes on fortunes of over P. T. 200 a-year leviable on persons at Cairo and Alexandria;

2. To cancel, without verification, the arrears due on the tobacco crops and tombac.

The Finance Committee add that the cancelling of these arrears would be a great relief to the taxpayers, and of great advantage to the Treasury, as the recovery of the taxes due would be thereby facilitated.

Finally, the note states that the Caisse de la Dette Publique has consented to this cancelling as regards the four assigned provinces, the arrears of which amount to about £ E. 17,000.

After deliberation, the Council has approved of the cancelling of the above-mentioned arrears in the manner proposed.

I accordingly have to request your Excellency to be good enough to cause the proper steps to be taken, with a view to carrying out the decision arrived at.

The President of the Council of Ministers,
(Signed) RIAZ.

No. 6.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 13.)

My Lord, *Cairo, May* 2, 1889.

THE annual Report of the Administration of Railways, Telegraphs, and Port of Alexandria has just been published for the year 1888. It will perhaps be more convenient if, instead of forwarding it to your Lordship as in former years, I endeavour briefly to summarize its more important features.

The total receipts from the Railways amounted in 1888 to £ E. 1,270,000, being about £ E. 26,500 less than those received in the preceding year. This diminution is almost entirely due to the fact that the Indian mail no longer goes overland from Alexandria to Suez, but proceeds direct through the Canal. The smallness of the cotton crop also caused a considerable falling-off in the receipts derived from the transport of cotton, but this was made up by the increase in the receipts from the transport of cereals. The number of passengers in the year exceeded by about 200,000 the figure for 1887. The present condition of the rolling stock is still far from satisfactory, but considerable progress was made in the course of the year towards improving it. The repairing of the permanent way has not advanced as rapidly as was hoped, owing to the great delay on the part of the contractors in Europe in delivering the necessary material. Hitherto the Administration has been much hampered in its attempt to attract the trade between Upper Egypt and Cairo, on account of the distance of its line from the town of Cairo. A project is now under consideration, and will, it is

hoped, be shortly put into execution, for connecting the lines on either side of the Nile by a bridge in the neighbourhood of Cairo, which would put an end to the inconvenience at present experienced.

The receipts from telegrams amounted to £ E. 26,000 in 1888, or about £ E. 8,500 less than in 1887. This difference is due to a falling-off in the number of official telegrams and of those sent by the Army of Occupation. Private telegrams show an increase of £ E. 5,000.

The receipts from the Port of Alexandria were £ E. 114,500, showing an increase of £ E. 3,000 over those of 1887, while the expenditure was diminished by £ E. 8,000. This very satisfactory result is due to the amalgamation of the Service of the Port with the Administration of Ports and Lighthouses, effected in July 1888. A still more considerable decrease in the expenditure is anticipated in 1889.

These are the main features of the Report. Taking into consideration the unfavourable circumstances with which the Administration had to contend, the result may be regarded as fairly satisfactory, and as reflecting credit upon the manner in which the Administration has executed its task in the past year.

I have, &c.
(Signed) E. BARING.

No. 7.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 13.)

My Lord, *Cairo, May* 4, 1889.

ABOUT a year ago the Civil Government of the district extending from Gebel Silsileh to Wady Halfa was placed under the direction of the Military Commandant at Wady Halfa. This district is some 200 miles long. I have now the honour to inclose a Memorandum and a Report which I have received from Sir Francis Grenfell upon the administration of this district for the past year.

I beg to draw your Lordship's very special attention to these documents.

The success of the English administration is indeed remarkable. It is shown more particularly by the absence of complaints and by the prompt payment of taxes and arrears. Nearly all the old law-suits—some of which had been pending for years—have been settled. Sir F. Grenfell, a year ago, recommended many of the litigants to submit the cases in dispute to the arbitration of the Sub-Governor. This they have very often done with the best possible results. Contraband trade has been stamped out. The Egyptian Treasury has gained, whilst the people are more happy and contented than heretofore. The statement which Sir F. Grenfell makes about the payment of the sheep tax is a very remarkable illustration of what may be done by improved administration. In one district only 1,552 sheep paid the tax in the year previous to Colonel Wodehouse's administration. Last year no less than 4,292 paid the tax in the same district. It can scarcely be doubted that previously bribes had been paid to the officials with a view to evading payment of the tax. Naturally enough, now that the tax is properly collected, it weighs more heavily on the inhabitants than heretofore. Sir F. Grenfell has, therefore, proposed that the tax shall be reduced, and I understand that his proposal has been adopted. The result will be that both the Government and the honest taxpayers will gain, and that the only losers will be the officials who previously received bribes.

In view of the improved state of affairs set forth in Sir F. Grenfell's Report, I am not surprised to learn that the people of adjoining districts are anxious to be placed under Colonel Wodehouse's government.

It is especially to be observed that the results of Colonel Wodehouse's administration have been attained without, so far as I know, the introduction of a single European official into the civil administration of the province. They are merely due to the presence of one competent English officer at the head of affairs, who has been able to name capable and honest native subordinates to carry out his orders. I do not say that the same success could be attained in all cases. Everything would depend upon the personal characteristics of the supervising Englishman. Colonel Wodehouse is a singularly capable and energetic officer. He knows the country well, and speaks the language perfectly. The facts, however, as they stand, show how much can be achieved by English supervision over native agency, if the English supervising agent is well chosen, and if the latter in his turn is allowed to choose his native subordinates.

The results of the past year's administration of this province reflect the utmost credit on Colonel Wodehouse.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 7.

Memorandum.

Sir Evelyn Baring,

I INCLOSE a copy of a Report which I have forwarded to his Excellency Riaz Pasha, on the state of the Frontier Mudirieh.

2. This Mudirieh, which comprises all the country from Gebel Silsileh on the north to 6 miles south of Wady Halfa on the south, has for just one year been under Military Government, Wodehouse Pasha being Governor; Mahir Bey, a late Colonel of an Egyptian battalion being the Sub-Governor.

3. Most of the old officials have been changed to the great benefit of the Mudirieh, and in their places honest and capable men have been appointed.

4. The police, officers and men, are specially selected from the army. The hospitals and dispensaries are worked by military medical officers, and the whole province is under the War Office.

5. The change for the better since last year is very great.

On my former inspections I was always met by surly Sheikhs full of complaints against the Government and the Government officials, while this year they invariably expressed their thanks for the just government of the province.

6. The taxes and large arrears which were due when the province was taken over have now been paid, and with more supervision on the part of the Public Works as regards the irrigation of the province, I trust that further prosperity will ensue.

7. My Report was discussed in last night's Council, and my proposals as to the establishment of schools, reduction of the sheep tax, purchase of a steam-launch for the Sub-Governor, and a slight increase of salaries of the lowest paid employés, were practically accepted.

(Signed) F. GRENFELL, *Major-General, Sirdar.*

Inclosure 2 in No. 7.

Major-General Sir F. Grenfell to Riaz Pasha.

Excellence,

EN même temps que mon inspection militaire dans la Haute-Égypte, j'ai examiné soigneusement la situation de la Moudirieh de la Frontière, actuellement placée sous un Gouvernement Militaire.

Divisions de la Moudirieh.—La Moudirieh se divise en trois "kisms" ou districts, savoir:—

Kism Assuan, de Silsileh à Assuan.

Kism El Konous, de Challal à Derr.

Kism Halfa, de Tinghala à Khor-Moussa, sur la rive orientale à 5 milles au delà de Halfa.

Chaque "kism" est dirigé par un Nazir et deux Maawens, qui sont tous placés sous les ordres de Wodehouse Pacha, comme Gouverneur Militaire, et du Miralai Mahir Bey, comme Sous-Gouverneur.

Police de la Moudirieh.—La police de la Moudirieh est prise de l'armée, et comprends deux yousbachyeh, deux mulazmin sawani, et cinquante soldats, qui font le travail de sept officiers, et quatre-vingt-quatre hommes de l'ancienne police.

La nouvelle police s'acquitte bien de son devoir et je n'ai entendu aucune plainte contre les officiers ou les hommes dont elle se compose.

Des zaptiehs ont été construites à peu de frais et les officiers de la police ont aidé matériellement les Nazirs dans leur besogne.

Les crimes ont diminué considérablement et la justice a été promptement rendue.

Des officiers de la police sont payés suffisamment et cette petite force est intelligente et active. Comme un grand nombre d'émigrés est venu s'installer dans la

Moudirieh, je considère que l'année prochaine il faudra augmenter l'effectif de la police légèrement.

Prisons.—De nouvelles prisons ont été établies à Halfa, Korosko, Assuan, et Derawi et sont sous la direction de la police.

Ces prisons étaient propres et les prisonniers ne faisaient entendre aucune plainte.

Aussitôt que la prison de Challal sera rendue à la Mission Autrichienne, une nouvelle prison devra être bâtie à Assuan même.

Mesures Médicales.—Jusqu'à cette année-ci, aucun hôpital civil n'existait à la frontière et lorsque les autorités militaires prirent possession de la Moudirieh en Avril 1888, elles constatèrent que les indigènes ne recevaient aucun traitement médical digne de mention; il y avait bien un médecin civil, mais il était resté sans pharmacie jusqu'à ce qu'une vînt à être installée à Assuan à la fin de 1888.

Organisation.—En Février 1889, les dispositions suivantes furent prises à Assuan et Halfa:—

Salles pour malades civils; à Assuan, 10 lits; à Korosko, 5 lits; à Halfa, 10 lits; pharmacie; hôpital secret; hôpital pour petite vérole.

L'équipement nécessaire aux vingt-cinq lits en question été fourni par l'Administration des Services Sanitaires.

Les officiers Anglais appartenant au Corps Médical de l'Armée sont tenus responsables de l'administration.

Les employés de l'État ainsi que les indigents sont admis gratis: toute autre personne doit payer un taux variant de P. T. 1 à P. T. 4 par jour.

Depuis le mois de Février dernier, 390 malades furent soignés dans les hôpitaux et la pharmacie, y compris beaucoup de Becharine à Assuan, parmi lesquels de nombreux cas de petite vérole eurent lieu.

La vaccination est opérée dans les villes par les soins des officiers du Corps Médical désignés pour le service civil, et dans les villages éloignés, par le barbier.

Quoique ces dispositions nouvelles ne datent que depuis peu de temps, elles fonctionnent cependant d'une façon très satisfaisante et économique, due à l'emploi du Corps Médical de l'Armée dans le service civil en sus de ses propres fonctions militaires.

Enseignement.—Il n'existe point de crédit budgétaire pour l'enseignement de la population de la Moudirieh, et comme cette population s'accroît rapidement, il est opportun de pourvoir à la nomination de quelques bons professeurs.

A Assuan, les négociants et les habitants désirent ardemment qu'une école y soit fondée. Il y a une ancienne Chounah du Gouvernement disponible et si des professeurs venaient à être désignés par M. le Ministre de l'Instruction Publique et les livres nécessaires fournis, l'école pourrait être organisée sur le champ.

Le nombre d'élèves pour lequel il devra être pourvu d'abord sera d'environ soixante.

Justice.—Les questions légales ordinaires sont généralement soumises à un arbitrage, le Sous-Gouverneur étant l'arbitre; mais les questions compliquées sont transmises à des Tribunaux supérieurs.

Dans les affaires criminelles, le Sous-Gouverneur a la faculté d'infliger des peines jusqu'à trente jours d'emprisonnement.

Grâce à cette faculté il a pu régler beaucoup de questions en souffrance.

Depuis l'établissement de la Moudirieh Militiaire jusqu'au 19 Avril, 1889, il y eut 329 vieilles affaires qui restaient en souffrance à la Moudirieh d'Esneh depuis cinq à trente-trois ans et qui vinrent dernièrement à être réglées; et 214 affaires qui surgirent depuis et qui furent au fur et à mesure examinées et réglées.

A l'heure présente il n'y a que cinquante-deux causes pendantes dans toute la Moudirieh.

Cheiks et Omdehs.—J'ai eu des entrevues avec les Cheiks et Omdehs de la Moudirieh dans les places suivantes:—

Halfa.	Korosko.
Deberossa.	Syala.
Arguin.	Kalabche.
Tehgait.	Challal.
Deberra.	Assuan.
Tochki.	Derawi.
Abou Simbel.	Kamomba.
Derr.	Bimbau.

Impôts.—En général les plaintes étaient en petit nombre et n'avaient trait qu'à l'impôt sur les moutons, l'impôt sur le tabac, et l'impôt foncier.

Impôt sur les Moutons.—En ce qui concerne l'impôt sur les moutons, je soumets ci-joint une liste qui démontre que l'année dernière, dans le district de Konous, 1,552 moutons seulement furent recensés tandis que l'année courante leur nombre s'élève à 4,292, ce que prouve qui ces animaux ont été recensés d'une manière régulière cette année.

L'impôt calculé à raison de P. T. $3\frac{1}{2}$ par tête est très lourd pour la population.

Dans la Haute-Égypte le prix d'un mouton est d'environ P. T. 20, tandis que dans la Basse-Égypte ce prix est de P. T. 80 à P. T. 100; ainsi, dans le premier cas un cinquième de la valeur de l'animal est perçu à titre d'impôts, mais dans le dernier cas il est perçu seulement un vingtième.

Je crois qu'une réduction permanante à P. T. 2 serait opportune dans la Haute-Égypte.

Impôt sur le Tabac.—Environ quinze feddans de tabac sont cultivés dans la Moudirieh, en grande partie dans de petits lots; cette culture se répandra probablement davantage, car le peuple préfère le tabac du pays à celui qu'on leur importe.

Il en mâche plus qu'il n'en fume, et l'on me dit que même après la perception du lourd impôt de £ E. 30 par feddan il peut encore se vendre à profit.

Pendant les quatre derniers mois 1,500 kantars de tabac importé furent reçus à Assuan contre 3,000 kantars reçus pour toute la durée de l'année dernière.

Le prix du tabac importé est de P. T. 1,000 le kantar tandis qu'il n'en coûtait que P. T. 500 l'année dernière.

Par conséquence, le prix s'en est élevé au double et la consommation augmentée.

Impôt Foncier.—Vingt-deux mille feddans de terrains cultivés existent dans la Moudirieh. Les cultures ont souffert beaucoup par suite de la baisse des eaux du Nil, et la population au sud d'Assuan se plaint de ce que la Haute-Égypte n'a reçu aucune remise d'impôts; mais à Konous et Halfa une grande étendue de terre est hors d'état de culture, la distance du niveau du Nil aux terrains à cultiver étant si grande que les animaux des Sakiehs ne peuvent élever l'eau et comme un grand nombre d'esclaves se sont enfuit, les chadoufs ne peuvent plus fonctionner.

Dans le district de Derr, que j'ai parcouru à cheval, les terrains cultivés cette année-ci ne sont pas plus de la moitié des terrains cultivés l'année dernière.

Mais je considère que si une remise sur l'impôt sur les moutons venait à être faite, cela serait un secours suffisant.

Impôts.—Les impôts rentrent promptement. Lorsque nous prîmes possession de la Moudirieh, les arrérages se montaient à plus de £ E. 2,000, et ne sont plus maintenant qu'à £ E 400.

Je crois que la population au sud d'Assuan éprouvera une certaine difficulté dans le prompt payement des impôts de l'année courante par suite des basses eaux du Nil, et en conséquence, la réduction de l'impôt sur les moutons que je propose ici même ne serait que fort juste.

Irrigation.—Il n'y a eu que peu de surveillance habile dans l'irrigation de la Province de la Frontière. Six canaux existent au nord d'Assuan et un canal au sud de cette même ville. Huit cents hommes sont employés au travail de la corvée. Je recommande fortement que plus de surveillance habile soit exercée sur l'irrigation de cette Moudirieh.

Les canaux sont: à Agelit, 2; à Bimban, 2; à Derawi, 1; à Abou Rèche, 1 à Deberra, 1.

Le canal de Deberra fut vidé et approfondi cette année, sous la surveillance de Wodehouse Pacha, mais la baisse des eaux du Nil rendit ce travail inutile.

Dans le district de Derr il y a une grande étendue de terrains qui pourrait être rendue cultivable moyennant des machines hydrauliques, et les Cheiks me prièrent de représenter au Gouvernement qu'ils consentiraient volontiers à payer un surplus d'impots si des machines étaient installées.

Dattiers.—La récolte des dattes promet bien, mais les dattiers doivent être à nouveau recensés; dans le village de Challal seul il existe 150 dattiers en plus du dernier recensement de 1884.

Protection des Villages.—Les villages situés aux bouches des "khors" qui courent dans le désert sont protégés contre les incursions des rebelles par des fortins ou des maisons en état de défence.

Les villageois ont été armés de fusils dont on leur a appris à faire usage.

Cette mesure a inspiré une grande confiance à la frontière.

Résumé.—Je me sens en état de signaler à votre Excellence une grande amélioration dans la Moudirieh de la frontière depuis l'année dernière.

Alors, les plaintes étaient fréquentes. Les villageois pour manque de contact avec le Gouvernement étaient enclins à la déloyauté et un commerce de contrebande se pratiquait sur une grande échelle.

J'attribue cet état de choses à l'éloignement du chef-lieu de la Moudirieh d'Esneh.

Les fonctionnaires de l'État ne pouvaient visiter que rarement les districts de Konous et Halfa. Mais à présent le Gouverneur se trouve à Halfa, le Sous-Gouverneur à Assuan, et la population voit constamment des représentants du Gouvernement.

Le district est pauvre, et le nombre des émigrés arrivant dans un état d'indigence, doit tendre à appauvrir les habitants davantage.

J'ai confiance que ma recommandation relative à la remise d'une partie de l'impôt sur les moutons sera prise en considération, et par votre Excellence, et par le Conseil des Ministres, et qu'une inspection du pays s'étendant au sud d'Assuan, sera faite par les soins d'un ingénieur capable.

Les traitements des employés subalternes sont très petits, et j'ai saisi le Conseil d'une proposition d'élever ces traitements au minimum de leurs classes.

Ils sont dans une situation différente de celle des employés des Moudiriehs plus rapprochés du Caire. Outre que c'est plus coûteux pour leurs familles, ces personnes vivent dans un district troublé et exposé aux incursions des rebelles, et leur vie est quelquefois en danger. Je puis citer que le Bach-Katib de la Moudirieh a été tué l'année dernière par les Derviches à Deberossa.

Je crois qu'il serait préférable de mettre un petit bateau à vapeur à la disposition du Sous-Gouverneur à Challal, attendu qu'il n'a maintenant qu'une "dahabieh" et que ses tournées d'inspection sont fréquemment d'une très longue durée dans un district d'une longueur de 270 milles.

Je suis certain que par des constantes tournées d'inspection de la part des fonctionnaires de l'État, de grands avantages seront obtenus, et le peuple se sentant protégé, sera content et loyal, ce qui est d'un grand avantage dans une Moudirieh frontière.

Le commerce est en voie d'amélioration, et pendant la semaine que j'ai passée à Halfa, quatre-vingt-dix chameaux partirent pour le sud avec des charges de coton, d'étoffes, de parfums, &c. Il n'y a point d'autorisation pour le transport des céréales, du sucre, &c., au delà de la frontière.

(Signé) F. GRENFELL, *Sirdar.*

(Translation.)

Excellency,

DURING my military inspection in Upper Egypt, I carefully examined the situation in the frontier Mudirieh, at present placed under a Military Governor.

Divisions of the Mudirieh.—The Mudirieh is divided into three "kisms," or districts, as follows:—

Kism Assouan, from Silsileh to Assouan.

Kism El Konous, from Challal to Derr.

Kism Halfa, from Tinghala to Khor-Moussa, on the eastern bank, 5 miles beyond Halfa.

Each "kism" is presided over by a Nazir and two Maawens, who are all placed under the orders of Wodehouse Pasha, as Military Governor, and Miralai Mahir Bey, as Sub-Governor.

Police of the Mudirieh.—The police of the Mudirieh is taken from the army, and includes two yousbashis, two mulazmin sawani, and fifty soldiers, who do the work of seven officers and eighty-four men of the former police.

The new police perform their duties well, and I did not hear any complaint against the officers or men composing the force.

Zaptiehs have been built at small cost, and the police officers have materially assisted the Nazirs in their work.

Crime has considerably diminished, and justice has been prompt.

The police officers are sufficiently paid, and this small force is intelligent and active. As a large number of immigrants have settled in the Mudirieh, I consider that next year it will be necessary to slightly increase the strength of the police.

Prisons.—New prisons have been established at Halfa, Korosko, Assouan, and Derawi, and are under the direction of the police.

These prisons were clean, and the prisoners made no complaints.

As soon as the Challal prison is handed back to the Austrian Mission, a new prison must be built at Assouan itself.

Medical Measures.—Up to this year no civil hospital existed on the frontier, and when the military authorities took possession of the Mudirieh in April 1888, they found that the natives did not receive any medical treatment worthy of mention; there was certainly a civil doctor, but he was without any dispensary until one was established at Assouan at the end of 1888.

Organization.—In February 1889, the following provision was made at Assouan and Halfa:—

Accommodation for civil patients: at Assouan, 10 beds; at Korosko, 5 beds; at Halfa, 10 beds; dispensary; secret hospital; hospital for small-pox.

The necessary equipment for the twenty-five beds in question was furnished by the Sanitary Service Administration.

The English officers belonging to the medical staff of the army are responsible for the administration.

The employés of the State, as well as natives, are admitted gratis: all other persons have to pay a fee varying from 1 to 4 piastres per day.

Since the month of February last, 390 patients have been treated in the hospitals and the dispensary, including many Bishareen at Assouan, among whom there were numerous cases of small-pox.

Vaccination is carried out in the towns by the officers of the Medical Staff appointed for the civil service, and in distant villages by the barber.

Although these new provisions have only been in force a short time, they work, nevertheless, in a very satisfactory and economical manner, owing to the employment of the Army Medical Staff in the civil service, in addition to their own military duties.

Instruction.—There is no credit in the Budget for the instruction of the population of the Mudirieh, and as this population is increasing rapidly, provision should be made for the appointment of some good professors.

At Assouan the merchants and the inhabitants are most desirous that a school should be established. There is an old Government Chounah available, and if professors were appointed by the Minister of Public Instruction, and the requisite books supplied, the school might be established at once.

The number of pupils for whom provision would have to be made at first would be about sixty.

Justice.—Ordinary legal questions are usually submitted to arbitration, the Sub-Governor being the Arbitrator; but complicated questions are referred to the higher Courts.

In criminal cases, the Sub-Governor has power to inflict penalties up to thirty days' imprisonment.

Thanks to this power, he has been enabled to settle many pending questions.

Since the establishment of the Military Mudirieh, up to the 19th April, 1889, 329 old cases, which had been pending in the Esneh Mudirieh for five to thirty-three years, have recently been decided, and 214 cases which have arisen since have been gradually examined and settled.

At the present moment there are only fifty-two cases pending in the whole Mudirieh.

Sheikhs and Omdehs.—I had interviews with Sheikhs and Omdehs of the Mudirieh at the following places:—

Halfa.	Korosko.
Deberossa.	Syala.
Arguin.	Kalabche.
Tehgait.	Challal.
Deberra.	Assouan.
Tochki.	Derawi.
Abou Simbel.	Kamomba.
Derr.	Bimbau.

Taxes.—Generally speaking, complaints were few, and had reference only to the tax on sheep, the tobacco tax, and the land tax.

Tax on Sheep.—As regards the tax on sheep, I submit herewith a list showing that last year, in the district of Konous, 1,552 sheep only were scheduled, whilst this year

their number has risen to 4,292, which proves that these animals have been scheduled in a regular manner this year.

The tax of P. T. 3½ per head is too heavy for the population.

In Upper Egypt the price of a sheep is about P. T. 20, whilst in Lower Egypt the price is from P. T. 80 to P. T. 100; thus, in the first case, the tax collected represents a fifth of the value of the animal, whilst in the latter case it represents a twentieth only.

I think that a permanent reduction to P. T. 2 would be advisable in Upper Egypt.

Tobacco Tax.—About 15 feddans of tobacco are cultivated in the Mudirieh, for the most part in small plots; this cultivation will probably be extended, as the people prefer the tobacco of the country to that which is imported.

They chew more than they smoke, and I am told that, even after paying the heavy tax of £ E. 30 per feddan, it can still be sold at a profit.

During the last four months 1,500 kantars of imported tobacco were received at Assouan, against 3,000 kantars received during the whole of last year.

The price of imported tobacco is P. T 1,000 the kantar, whilst last year it cost only P. T. 500.

The price, therefore, has doubled, and the consumption increased.

Land Tax.—There are 22,000 feddans of cultivated land in the Mudirieh. Cultivation has suffered much on account of the low Nile, and the population to the south of Assouan complain that Upper Egypt has not been granted any remission of taxation, but at Konous and Halfa a great extent of land is incapable of cultivation, the distance between the Nile level and the lands to be cultivated being so great, that the animals of the "Sakiehs" cannot raise the water, and, as a great number of slaves have fled, the chadoufs can no longer work.

In the district of Derr, which I traversed on horseback, the extent of land cultivated this year is less than half of what it was last year.

But I believe that if a reduction in the sheep tax were made, that would be sufficient assistance.

Taxes.—The taxes are promptly paid. When we took possession of the Mudirieh, the arrears amounted to more than £ E. 2,000, and they are now not more than £ E. 400.

I believe that the population south of Assouan will experience some difficulty in the prompt payment of the taxes for the current year in consequence of the low Nile, and therefore the reduction of the sheep tax, which I now suggest, would be a most just measure.

Irrigation.—There has been but little skilled supervision in the irrigation of the frontier province. There exist six canals north of Assouan, and one canal to the south of that town. Eight hundred men are employed on corvée labour. I strongly recommend that more skilled supervision should be exercised over the irrigation of the Mudirieh.

The canals are: at Agelit, 2; at Bimban, 2; at Derawi, 1; at Abou Rèche, 1; at Deberra, 1.

The Deberra canal was emptied and deepened this year, under the superintendence of Wodehouse Pasha, but the lowness of the Nile rendered this labour useless.

In the district of Derr there is a great extent of land which might be brought under cultivation by means of hydraulic machinery, and the Sheikhs begged me to represent to the Government that they would willingly consent to pay a larger tax if machines were put up.

Date Trees.—The date harvest promises well, but the date trees should be re-assessed: in the village of Challal alone there exist 500 more date trees than at the time of the last assesment in 1884.

Protection of the Villages.—The villages situated at the mouth of the "khors" which traverse the desert are protected against rebel raids by posts or houses capable of defence.

The villagers have been armed with guns, and have been taught how to handle them.

This measure has inspired great confidence on the frontier.

Recapitulation.—I am able to report to your Excellency a great improvement in the frontier Mudirieh since last year.

Complaints were then frequent. The villagers, owing to want of contact with the Government, were inclined to be disloyal. Smuggling was carried on on a large scale.

I attribute this state of things to the distance of Esneh, the chief town of the Mudirieh.

The Government officials could only rarely visit the districts of Konous and Halfa. But now the Governor is at Halfa, the Sub-Governor at Assouan, and the population constantly meet the Representatives of the Government.

The district is poor, and the number of immigrants arriving in a state of destitution tends still further to pauperize the inhabitants.

I feel confident that my recommendation as to the remission of a part of the sheep tax will be taken into consideration, both by your Excellency and by the Council of Ministers, and that an inspection of the country to the south of Assouan will be carried out by a capable engineer.

The salaries of the subordinate officials are very small, and I have communicated to the Council a proposal to raise these salaries to the minimum of their classes.

They are in a different position to that of the officials of the Mudiriehs nearer Cairo. Besides the fact of its being more expensive for their families, these persons are living in a disturbed district, and are exposed to rebel raids, and their lives are sometimes in danger. I may cite, as an instance, that the Bach-Katib of the Mudirieh was killed last year by the Dervishes at Deberossa.

I am of opinion that it would be advisable to place a small steamer at the disposal of the Sub-Governor of Challal, as he has now only a "dahabieh," and his tours of inspection are frequently of extended duration in a district 270 miles long.

I am certain that constant tours of inspection by the Government officials will be of great advantage, and that the people, feeling themselves protected, will be contented and loyal, which is of great advantage in a frontier Mudirieh.

Trade tends to improve, and during the week I passed at Halfa, ninety camels started for the south with loads of cotton, stuffs, perfumes, &c. The transport of cereals, sugar, &c., is not authorized beyond the frontier.

(Signed) F. GRENFELL, *Sirdar.*

No. 8.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, May* 16, 1889.

I HAVE received your despatch of the 4th instant, inclosing a Report by General Sir Francis Grenfell on Wodehouse Pasha's administration of the frontier district extending from Gebel Silsileh to Wady Halfa, and I note with much satisfaction the excellent results which he has obtained.

I am, &c.

(Signed) SALISBURY.

No. 9.

Sir E. Baring to the Marquis of Salisbury.—(Received May 20.)

My Lord, *Cairo, May* 7, 1889.

I HAVE the honour to inclose herewith copy of an Agreement which has been arrived at between the Egyptian Government and the Commissioners of the Caisse de la Dette with regard to the construction of certain new lines of railway and works in connection therewith in Egypt.

The total estimated cost of the undertaking is £ E. 798,300, of which sum £ E. 568,975 is for the railway lines, stations, &c., £ E. 150,000 for a new bridge across the Nile at Boulac, and £ E. 79,325 for rolling stock for the new lines.

The whole of these works are to form a part of the general guarantee of the Privileged Debt. They are to be paid for by means of annuities, for which the necessary funds will be provided by an increase of 4 per cent. in the rates on all the Egyptian lines of railway, added to the sum of £ E. 54,000, which is the amount of the estimated receipts from the new lines.

When the amount thus produced is in excess of £ E. 94,000, the surplus is to be placed to the credit of the ordinary Railway receipts of the year. If, on the other hand, the total does not reach £ E. 94,000, the Egyptian Government undertakes to make it up to that sum from its administrative Budget.

Of the £ E. 94,000, £ E. 24,000 is to be repaid annually to the Railway Administration for the working expenses of the new lines, £ E. 63,000 will be affected to the payment of the annuities for the bridge and railway works generally, and £ E. 7,000 to provide for the new rolling stock.

Until these works have been paid for and the annuities have been completely extinguished, the Railway Administration will not be entitled to the 45 per cent. provided by the London Convention for working expenses upon this sum of £ E. 94,000.

A Commission has been appointed to prepare the "Cahier des Charges" and to invite tenders for the works. At least three months' notice is to be given for preparation of tenders.

This Convention will only come definitely into force as soon as the Council of Ministers shall have accepted the tenders and the Commissioners of the Caisse shall have given their consent to the number of annuities to be paid.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 9.

Arrangement.

ENTRE le Gouvernement Égyptien et la Commission de la Dette Publique a été convenu ce qui suit:—

Article 1er. Le Gouvernement et la Commission de la Dette sont d'accord pour l'exécution, aux conditions ci-après indiquées, des travaux suivants, savoir:—

	£ E.
(*a.*) Ligne de Chibine-el-Kôm à Menouf—	
Coût estimatif des voies, bâtiments, ouvrages, &c...	47,825
(*b.*) Ligne de Damanhour à Rahmanieh—	
Coût estimatif des voies, bâtiments, ouvrages, &c...	42,450
(*c.*) Ligne de Médinet-Fayoum à Senourès—	
Coût estimatif des voies, bâtiments, ouvrages, &c...	31,700
(*d.*) Ligne d'Assiout à Guerga—	
Coût estimatif des voies, bâtiments, ouvrages, &c...	447,000
	568,975
(*e.*) Pont du chemin de fer sur le Nil, entre Boulac (Caire) et Embabeh—	
Pont à voie unique comportant passage pour piétons et bêtes de somme, ouverture environ 500 mètres, section pivotante pour usage de la navigation: coût	150,000
	718,975
(*f.*) Matériel roulant: coût estimatif	79,325
Total	798,300

Art 2. Le pont et les nouvelles lignes feront partie du gage général de la Dette Privilégiée.

Il sera fait face au remboursement du coût des travaux énumérés ci-dessus par les moyens indiqués dans les Articles suivants.

Art. 3. L'Administration des Chemins de Fer prélèvera sur le prix de tous les transports tant sur les lignes déjà existantes que sur les nouvelles lignes, jusqu'à complet remboursement des dépenses d'établissement de ces dernières, et du pont, une surtaxe de 4 pour cent dont elle versera le produit, séparément, à la Caisse de la Dette Publique.

Le droit pour l'Administration des Chemins de Fer de changer les Tarifs avec la sanction du Gouvernement restera intact. Il est toutefois bien entendu que la surtaxe de 4 pour cent ne surchargera pas les Tarifs actuels, mais qu'elle rentrera dans l'augmentation du 10 pour cent que les Tarifs ont subie dernièrement.

Art. 4. En outre du produit de la surtaxe, les Chemins de Fer paieront à la Commission de la Dette sur leurs recettes générales, par mensualités, une somme annuelle de £ E. 54,000, à laquelle sont évaluées à forfait les recettes des nouvelles lignes.

Aussitôt que le produit de la surtaxe et les £ E. 54,000 dépasserait la somme de £ E. 94,000, la Commission de la Dette passerait le surplus au compte des recettes ordinaires des Chemins de Fer.

Art. 5. Jusqu'au remboursement complet des dépenses de construction des nouvelles lignes et du pont les 45 pour cent mentionnés à la Convention de Londres pour dépenses d'exploitation des chemins de fer ne seront pas comptés sur la somme de £ E. 94,000 représentant le produit de la surtaxe de 4 pour cent et le montant des recettes probables des nouvelles lignes.

Art. 6. Sur les £ E. 94,000 reçues par elle, la Caisse de la Dette paiera à

l'Administration des Chemins de Fer, à forfait, et par mensualités, £ E 24,000 par an, pour les dépenses des nouvelles lignes.

Les £ E. 70,000 restant, seront affectées au service de l'annuité destinée au paiement du coût du pont et des nouvelles lignes, soit £ E. 63,000 à répartir entre les différents travaux au prorata de l'évaluation indiquée à l'Article 1er ou de celle à laquelle s'arrêtera la Commission instituée par l'Article 9, et £ E. 7,000, pour faire face à l'achat du matériel roulant, achat auquel il sera procédé par l'Administration des Chemins de Fer au moment opportun.

Art. 7. Pour le cas où le produit de la nouvelle taxe et les recettes des nouvelles lignes donneraient moins de £ E. 94,000 le Gouvernement devrait rembourser la différence à la Caisse de la Dette sur son Budget administratif.

Art. 8. Le présent Arrangement entrera en vigueur au fur et à mesure de la mise en exploitation du pont et de chaque tronçon des nouvelles lignes.

Art. 9. Une Commission composée d'un Commissaire de la Dette désigné par ses collègues et remplacé par l'un d'eux en cas d'empêchement, Sir Colin Scott Moncrief, Blum Pacha, Mr. Ornstein; les trois Administrateurs des Chemins de Fer, et un Conseiller Khédivial, préparera le Cahier des Charges et s'occupera de l'adjudication.

Le Cahier des Charges devra être communiqué à la Commission de la Dette avant d'être soumis à la sanction du Conseil des Ministres.

Un délai minimum de trois mois à partir de la publication par les Chemins de Fer dans les journaux officiels des conditions de l'adjudication, devra être accordé pour la présentation des soumissions.

La plus grande publicité possible sera donnée en Europe à la mise en adjudication.

Le Cahier des Charges indiquera la portion de l'annuité affectée au paiement de chaque lot.

Art. 10. L'adjudication sera faite par lots distincts pour la construction du pont et pour chaque ligne, sauf à accorder le tout à qui offrirait pour l'ensemble des conditions plus avantageuses que celles résultant des différentes offres spéciales.

Les soumissions seront faites par l'indication, soit de sommes demandées pour les travaux en cas de paiement comptant, soit du nombre d'annuités avec lesquelles on accepterait d'être payé; les soumissionnaires pourront faire des offres pour ces deux modes.

Art. 11. La présente Convention ne sera définitive que lorsque les résultats de l'adjudication auront été acceptés par le Conseil des Ministres et que les Commissaires de la Dette alors présents au Caire auront donné leur consentement au sujets du nombre d'annuités à payer.

La Commission de la Dette fournira tous engagements nécessaires pour le paiement des annuités soit aux entrepreneurs, soit aux prêteurs, dans le cas où tout ou partie des travaux ayant été adjugés, moyennant des paiements à faire au fur et à mesure de leur exécution. Les fonds nécessaires à ces paiements seraient obtenus au moyen d'avances.

(Translation.)

Agreement.

THE Egyptian Government and the Commission of the Public Debt have come to the following agreement:—

Article 1. The execution of the following works, in the manner stated below, has been agreed upon between the Government and the Commission of the Debt, viz.:—

	£ E.
(*a.*) Line from Chibine-el-Kôm to Menouf—	
Estimated cost of the permanent way, buildings, works, &c. ..	47,825
(*b.*) Line from Damanhour to Rahmanieh—	
Estimated cost of the permanent way, buildings, works, &c. ..	42,450
(*c.*) Line from Medinet-Fayoum to Senourès—	
Estimated cost of the permanent way, buildings, works, &c. ..	31,700
(*d.*) Line from Assiout to Guerga—	
Estimated cost of the permanent way, buildings, works, &c. ..	447,000
	568,975
(*e.*) Railway bridge over the Nile, between Boulak (Cairo) and Embabeh—	
A bridge with a single line of rails, allowing room for the passage of foot passengers and beasts of burden, length about 500 metres, pivoting section to allow of the passage of shipping: cost	150,000
	718,975
(*f.*) Rolling stock: estimated cost	79,325
Total	798,300

Art. 2. The bridge and the new lines shall form part of the general guarantee of the Privileged Debt.

The money required for the above-mentioned works will be provided in the manner stated in the following Articles.

Art. 3. The Railway Administration will levy on the value of all goods carried on the lines already in existence, as well as on the new lines, until the expenses of constructing the latter and the bridge have been repaid in full, a surtax of 4 per cent., the receipts from which they will pay separately to the Caisse of the Public Debt.

The right of the Railway Administration to alter the Tariffs with the sanction of the Government shall remain intact. It is clearly understood, however, that the 4 per cent. surtax is not to be imposed in excess of the Tariffs now in force, but shall be included in the additional 10 per cent. lately introduced into the Tariffs.

Art. 4. Besides the receipts from the surtax, the Railways shall pay to the Commission of the Debt, from their general returns, by monthly payments, the sum of £ E. 54,000 per annum, at which figure the receipts of the new lines have been roughly estimated.

As soon as the receipts from the surtax, with the addition of the £ E. 54,000, exceed the sum of £ E. 94,000, the Commission of the Debt shall place the excess to the credit of the ordinary receipts of the Railways.

Art. 5. Until the expenses of constructing the new lines and the bridge have been repaid in full, the 45 per cent. mentioned in the London Convention for expenses of working the railways shall not be charged against the sum of £ E. 94,000 representing the receipts from the 4 per cent. surtax, and the amount of the probable receipts from the new lines.

Art. 6. Out of the £ E. 94,000 received by them, the Caisse de la Dette will pay to the Railway Administration, in monthly lump sums, £ E. 24,000 a-year for the expenses of the new lines.

The remaining £ E. 70,000 shall be assigned to the payment of the annual sum to be devoted to the payment of the cost of the bridge and new lines, namely, £ E. 63,000 to be divided between the different works in the proportion of the estimates given under Article 1, or of the estimates framed by the Commission to be appointed under Article 9, and £ E. 7,000 to pay for the purchase of the rolling stock, which the Railway Administration will buy when the proper time comes.

Art. 7. If it should happen that the receipts from the new tax and the returns from the new lines produce less than £ E. 94,000, the Government shall make good the difference to the Caisse de la Dette from its administrative Budget.

Art. 8. The present Agreement shall come into force concurrently with the opening of the bridge and of each branch of the new lines.

Art. 9. A Commission, composed of a Commissioner of the Debt nominated by his colleagues, and replaced by one of them if unable to attend, Sir Colin Scott Moncrief, Blum Pasha, M. Ornstein, the three Administrators of Railways, and a Khedivial Councillor, shall prepare the specifications and invite tenders.

The specifications must be presented to the Commission of the Debt before they are submitted for approval to the Council of Ministers.

A period of at least three months shall be allowed for the presentation of tenders from the date of the publication of the terms of tender by the Railway Administration in the official journals.

The greatest possible publicity shall be given in Europe to the advertisement for tenders.

The accounts shall show what portion of the annual payment is assigned to the payment of each lot.

Art. 10. Separate tenders will be invited for the construction of the bridge and of each line; but should any tender be made for the whole work on more advantageous terms than those offered by the aggregate of the tenderers for the separate portions, the tender should be accepted.

Each tender shall be accompanied by a statement of the amount demanded for the work if paid for at once, or by a statement of the number of years over which payment may be spread; a tender may be accompanied by a statement of the terms under which each of these two modes of payment would be accepted.

Art. 11. The present Convention shall not be final until the results of the invitation for tenders have been accepted by the Council of Ministers, and until the Commissioners of the Debt, who may be then at Cairo, have given their consent with regard to the number of yearly payments to be made.

The Commission of the Debt will enter into all necessary engagements for the

payment of the annual sums to the contractors, or to those who may advance money, if the whole or a part of the works are contracted for in consideration of payments to be made gradually as the works are proceeded with, and the funds required for these payments are obtained by means of advances.

No. 10.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 20.)

My Lord, *Cairo, May* 9, 1889.

AS your Lordship is well aware, one of the most serious charges on the Egyptian Exchequer during the last three years has been that for pensions. For some time this charge had gone on continually increasing, and there appeared to be no limit to the number of old pensions for which claims were being constantly brought forward. In October last a Decree was therefore published, granting six months for presentation of all demands for arrears of pensions, after which no demand for a pension which had been due more than six months would receive consideration. This period has now expired, and the Egyptian Government is able accordingly to estimate with tolerable accuracy the maximum amount which it will in the future be liable to pay for pensions.

Your Lordship will see, from the inclosed note by Mr. Palmer, that the annual cost of pensions inscribed on the 30th April, together with the estimated cost of such demands as have not yet been settled, amount to £ E. 469,128. Mr. Palmer adds that this year there will be a further special charge of £ E. 30,000 on account of indemnities to officials who have been dismissed in consequence of the reconstruction of certain Departments. He estimates that £ E. 15,000 under this head will suffice in future years, thus arriving at a probable normal total after this year of £ E. 484,000.

There is, however, every reason to hope that, if the commutation of pensions is continued, the actual yearly charge in future will be rather below £ E. 450,000.

Mr. Palmer also draws attention to the fact that for certain reasons, which he states, the lapsed pensions will henceforward exceed the fresh pensions inscribed.

It is certainly satisfactory to observe that the maximum pension charge has now been reached, and that a steady and continual diminution may now be confidently looked for.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 10.

Note on the Subject of Pensions.

IN October 1888 the Government promulgated a Decree declaring that no demand for pension would be received in future if not submitted within six months from the date on which the official ceased to be employed, and giving six months from the date of the Decree for the presentation of all arrear demands. This delay having now expired, we are able to estimate what our liabilities are as regards pensions :—

	£ E.
The annual cost of pensions inscribed on the 30th April, 1889, amounted to ..	456,828
To which must be added the estimated cost of the 450 demands in hand, viz. .	12,300
Making altogether a total charge of	469,128
These pensions are divided into five distinct categories, viz. :—	
1. Pensions for service in Egypt—	
Civil	204,180
Military	91,968
Total	296,148
2. Pensions for service in the Soudan—	
Civil	12,036
Military	84,612
Total	96,648
3. Special pensions granted by His Highness the Khedive	39,096
4. Allowances granted in lieu of land appropriated	34,740
5. Charitable pensions	2,496

As regards the civil pensions of the first category, a large number are due to abnormal causes, such as suppression of posts and frequent changes in earlier years in the personnel, which will not, it is hoped, occur to the same extent in the future.

The actual figure, therefore, can scarcely be regarded as normal. On the other hand, service pensions tend generally to increase, so that I am not inclined to look for much falling-off under this head. It is, however, very difficult to frame an estimate with regard to this particular charge, there being no satisfactory data of past years to go upon.

The military pensions of the first category must undoubtedly decrease. The number of military pensions is altogether out of proportion to the number of officers on the active list, the former being about 1,100, besides about 1,200 heirs, and the latter about 445 only. This is due to the disbandment of the old army, which contained a far larger number of officers than the present one. The pensions, amounting to the large sum of £ E. 96,648 a-year, for service in the Soudan will gradually disappear altogether, for as Egypt no longer occupies the Soudan there will be no fresh pensions to take the place of those that are wiped out by death and other causes.

The special pensions, with the exception of about 1,800*l.* per annum, are not reversible; and as such pensions are now no longer granted, nearly the whole of this heavy charge of £ E. 29,096 will gradually disappear.

The allowances granted in lieu of land are practically a permanent charge, but we hope to buy up about £ E. 3,000 worth, which will reduce the annual charge by a corresponding amount.

The charitable pensions are likely to continue at the same figure.

The above observations tend to show that we may safely look for a gradual reduction of our pension charge. For the current year we have provided a sum of £ E. 500,000, which will not, I think, be exceeded. The annual amount of pensions is shown above to be £ E. 469,128, but to this figure we must add for the current year about £ E. 30,000 on account of indemnities. This latter is not a normal annual charge, but is due to the suppression of a large number of posts from the 1st January of the current year (Tanzim and Cadastre Departments). About half that sum will suffice in future years.

The annual charge for next year for pensions and indemnities would thus be £ E. 484,000, *i.e.*, £ E. 469,000 + £ E. 15,000; but the exchange of pensions which will, it is hoped, be continued, as also the fact that the lapsed pensions will, for the reasons I have given above, exceed the fresh ones inscribed, should, I think, reduce the charge to £ E. 450,000. I am inclined even to believe that the actual charge will be rather below than above this sum.

As regards the examination of pension claims, it is carried out very strictly, and the laws are rigidly enforced. In the course of the past eleven months, out of 2,880 demands for service in Egypt I have rejected over 800. I have not the same statistics for Soudan pensions, but a very large proportion have been likewise rejected. That the laws have been justly interpreted is shown by the small number of cases taken into Court, and the very few cases that have been given against the Government.

In considering the annual charge for pensions, it must not be overlooked that the charge would have been much higher had it not been for the exchange of pensions for land and cash, which has been carried out on a large scale. The annual pensions exchanged up to the end of April 1889 amount to £ E. 99,434. It is, however, most satisfactory to know that we have reached the limit, and that now we may hope for a steady fall in the charge.

(Signed) ELWIN PALMER,
Director-General of Accounts.

May 8, 1889.

No. 11.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 27.)

My Lord, *Cairo, May* 15, 1889.

WITH reference to my despatch of the 8th instant, reporting to your Lordship that messengers had arrived bearing letters from Khalifa Abdullah, I have now the honour to inclose herewith translations of the letter addressed to Her Majesty, and of the two letters addressed to myself. As I have already had the honour to inform your Lordship, these messengers have been detained at the frontier, and it is intended to give the original letter back to them, and to send them back to Omdurman.

I beg also to inclose herewith the original letter written by your Lordship to the King of Abyssinia, and handed to him by Mr. Portal. This letter was brought by the Khalifa's Envoys in proof of the statement that the Negus had been defeated and killed near Gallabat.

I have further the honour to inclose an unopened letter* to the King of Abyssinia stated to have been also taken at the time of his death. This letter, which I forward to your Lordship unopened as I received it, is, I believe, the one from Her Majesty the Queen, dated the 11th August, 1887, inclosed in your Lordship's despatch of the 12th August to Mr. Portal, and forwarded to King John by Colonel Kitchener from Suakin on the 17th September of the same year.

I had the honour to transmit the King's answer to this letter to your Lordship in my despatch of the 24th December, 1887. This letter has apparently never been opened, which may be accounted for by the fact that Amharic and Arabic translations of it were forwarded to King John at the same time.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 11.

Khalifa Abdullah to Her Majesty the Queen.

(Translation.) 7 *Shaaban*, 1306 (*April* 9, 1889).

IN the name of God the Merciful, thanks be to God the Generous, and prayers to our Prophet and his followers.

From the servant of God, Khalifa-el-Mahdi (to whom reverence is due), Khalifa Abdullah, son of Mahomed, to Victoria, Queen of England.

I have to warn you that God said in His holy book that the Mussulmans are those who are known to God, and he who believes in any other religion shall lose the life to come. As you are not of the followers of this religion at present, we call you to this religion as God ordered His Prophet, as is written in the Koran: Ye believers in the book, come and believe in our word which is the same as yours, namely, that we worship but one God, who has no equal, and that we should not take other Gods and leave the true God.

If you believe in our religion and confess that there is no God but God, and Mahomed is His Prophet, we will receive you with the greatest hospitality, but if you refuse what we offer you, your sin and your people's sin is on your head, and doubtless you shall, by God's help, fall into our hands.

(L.S.) HASBONA ALLAH WANIAMA.
El Wakeel.

Inclosure 2 in No. 11.

Khalifa Abdullah to Sir E. Baring.

(Translation.) 6 *Shaaban*, 1306 (*April* 8, 1889).

IN the name of God the Merciful, thanks be to God the Generous, and prayers to our Prophet and his followers.

From the servant of God, Khalifa-el-Mahdi (to whom reverence is due), Khalifa Abdullah, son of Mahomed, to the Agent of the British Empire in Egypt.

I have to warn you that God said in His holy book that the Mussulmans are those who are known to God, and he who believes in any other religion shall lose the life to

* The Queen's letter had been opened by the Khalifa, who wrote on it a note in Arabic, of which the following is the translation:

"In the name of God, most Merciful, very Compassionate.

"Glory be to God, the most generous Governor; and laudation to our Lord Muhammed and his posterity, together with magnifying reverence.

"This is from the servant of his Lord, the Khalifa (successor) of the Mehdiyy (the right-guided one), on whom be gratulation; the Khalifa, 'Abdu-'l-'tah, son of Muhammed, the Khalifa, the most truthful, unto Fiktoriya (Victoria) Queen of Britain.

"Well, we apprise thee that the letter written on thy part to the King of the Abyssinians, Yuhannà, and, after the slaughter of the said Yuhannà, King of the Abyssinians, at the hands of the auxiliary disciples (of the Mehdiyy), found at 'Afsha among his effects; then, seeing that it was not required by us, behold, it now reaches thee. Be it so known unto thee.

(Seal.) "(Our trust is in God, who is the good one to trust to.)

"6 *Shaaban*, 1306 (*April* 6, 1889)."

(Translated by J. W. Redhouse.

come. As you are not of the followers of this religion at present, we call you to this religion as God ordered His Prophet, as is written in the Koran: Ye believers in the book, come and believe in our word which is the same as yours, namely, that we worship but one God, who has no equal, and that we should not take other Gods and leave the true God.

If you believe in our religion and confess that there is no God but God, and Mahomed is His Prophet, we will receive you with the greatest hospitality.

We send you herewith a "zublet" (shirt) belt, beads, drawers, grass cap, and pair of shoes, which are the dress of the Mahdiists. Put these things on and obey our orders. If you refuse, your sin will be on your head, and doubtless you will fall into our hands.

(L.S.) HASBONA ALLAH WANIAMA.
El Wakeel.

Inclosure 3 in No. 11.

Khalifa Abdullah to Sir E. Baring.

(Translation.) 6 *Shaaban*, 1306 (*April* 8, 1889).

IN the name of God the Merciful, thanks be to God the Generous, and prayers to our Prophet and his followers.

From the servant of God, Khalifa-el-Mahdi (to whom reverence is due), Khalifa Abdullah, son of Mahomed, to the British Consul-General in Cairo.

I inform you that the letter addressed to Victoria, Queen of Britain, should be forwarded to her as soon as it reaches you.

(L.S.) HASBONA ALLAH WANIAMA.
El Wakeel.

No. 12.

Sir E. Baring to the Marquis of Salisbury.—(Received May 27.)

My Lord, *Cairo, May* 16, 1889.

WITH reference to my despatch of the 8th ultimo, reporting that Osman Bey Helmy, the Mudir of Beni-Souef, was to be brought before the High Court of Discipline on charges of negligence and dishonesty in the administration of his province, I have now the honour to inform your Lordship that the Court has found Osman Bey Helmy guilty on the charges of negligence, and that he has, in consequence, been placed on the retired list.

Mahmoud Bey Riaz, the eldest son of the Prime Minister, has been appointed to succeed Osman Bey as Mudir of Beni-Souef.

I have, &c.
(Signed) E. BARING.

No. 13.

Sir E. Baring to the Marquis of Salisbury.—(Received May 27.)

My Lord, *Cairo, May* 19, 1889.

I HAVE the honour to transmit herewith an extract from the "Journal Officiel" of yesterday, containing the Khedivial Decree for the abolition of the Brigandage Commissions in the provinces.

Your Lordship will observe that, by the terms of this Decree, the ordinary Commissions are now suppressed and arrangements are made for trying cases of brigandage before the Native Tribunals, while the Commission of Revision will also be abolished after forty-five days—the time allowed for revising sentences already pronounced or under consideration.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 13.

Extract from the "Journal Officiel" of May 18, 1889.

NOUS, Khédive d'Égypte,

Vu notre Décret du 25 Rabi Awel, 1303 (31 Décembre, 1885), instituant des Commissions dans les Moudiriehs de la Basse- et de la Haute-Égypte et une Haute

Commission au Ministère de l'Intérieur pour instruire et juger les crimes commis par des bandes armées ;

Vu nos Décrets des 10 Rabi Awel, 1302 (27 Décembre, 1884), et 14 Chawal, 1303 (16 Juillet, 1886), relatifs aux individus en état de vagabondage ;

Vu nos Décrets prorogeant la durée des susdites Commissions, et en dernier lieu celui du 23 Rabi Akher, 1306 (26 Décembre, 1888), prorogeant pour une année la durée de ces Commissions à partir du 1er Janvier, 1889 ;

Considérant que les actes de brigandage et les attaques à main armée ont beaucoup diminué dans les Moudiriehs, et qu'il n'est plus nécessaire de maintenir les Commissions exceptionnelles instituées pour juger les auteurs de ces crimes ;

Sur la proposition de notre Ministre de l'Intérieur et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

Article 1er. Les Commissions instituées dans les Moudiriehs de la Basse- et de la Haute-Égypte, ainsi que la Haute Commission instituée au Ministère de l'Intérieur pour statuer sur les crimes commis par des bandes armées, sont supprimées.

Art. 2. Les Jugements rendus par les Commissions des Moudiriehs dans les crimes commis par des bandes armées, sont considérés comme étant rendus par les Tribunaux de Première Instance de la Basse- et de la Haute-Égypte et comme remplissant les formes voulues par la loi. Ceux de ces Jugements rendus contradictoirement seront, selon les cas, déférés d'office à la Cour d'Appel indigène du Caire ou à celle d'Assiout, sans attendre la présentation d'une requête à cet effet, et sans égard à aucun délai de prescription. Les Jugements rendus par défaut seront déférés au Tribunal de Première Instance dans la circonscription duquel le crime a été commis.

Art. 3. La Cour d'Appel du Caire et les Tribunaux de Première Instance de la Basse-Égypte qui seront saisis, selon les cas, des affaires jugées contradictoirement ou des affaires jugées par défaut, se conformeront, en ce qui concerne la procédure de l'appel ou de l'opposition, aux dispositions du Code d'Instruction Criminelle.

Les parties seront, sur la demande du Parquet, citées à comparaître par-devant le Tribunal à la plus prochaine séance.

La Cour d'Appel d'Assiout et les Tribunaux de Première Instance de la Haute-Égypte doivent, en ce qui concerne l'appel et les Jugements par défaut, se conformer aux règles qui les régissent.

Art. 4. Les affaires relatives aux crimes commis par des bandes armées et qui sont sous Jugement à la Haute Commission seront, suivant les cas, envoyées aux Parquets des Tribunaux Indigènes ou à la Cour d'Appel d'Assiout.

Art. 5. Les affaires relatives aux attaques à main armée qui n'ont pas été, jusqu'à la promulgation du présent Décret, jugées par les Commissions des Moudiriehs seront, selon les cas, envoyées aux Parquets des Tribunaux Indigènes de la Basse-Égypte ou aux Tribunaux de la Haute-Égypte.

Art. 6. Si le Tribunal juge qu'il est nécessaire de compléter ou de recommencer l'instruction d'une affaire, il doit suivre à cet égard les règles prescrites.

Art. 7. Les faits imputés aux malfaiteurs, gens sans profession et sans asile, et sur lesquels les Commissions instituées dans les Gouvernorats et Moudiriehs n'ont pas encore statué seront, dans le délai d'un mois à partir de la promulgation du présent Décret, jugés par les dites Commissions.

La Haute Commission instituée au Ministère de l'Intérieur sera maintenue pendant une durée de quarante-cinq jours à partir de la promulgation du présent Décret, à l'effet de statuer sur les affaires qui ont été jugées jusqu'à présent ou qui seront jugées par les Commissions dans le courant du dit mois.

Art. 8. Nos Ministres de l'Intérieur et de la Justice sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais d'Abdine, le 15 Ramadan, 1306 (15 Mai, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :

Le Président du Conseil des Ministres,
Ministre de l'Intérieur,
(Signé) Riaz.

Le Ministre de la Justice,
(Signé) H. Fakhry.

(Translation.)

WE, Khedive of Egypt,

With reference to our Decree of the 25th Rabi Awel, 1303 (31st December, 1885), establishing Commissions in the Mudiriehs of Lower and Upper Egypt, and a

High Commission in the Ministry of the Interior to investigate and try crimes committed by armed bands;

With reference to our Decrees of the 10th Rabi Awel, 1302 (27th December, 1884), and of the 14th Chawal, 1303 (16th July, 1886), relative to persons living as vagrants;

With reference to our Decrees prolonging the existence of the said Commissions, and, lastly, the Decree of the 23rd Rabi Akher, 1306 (26th December, 1888), prolonging for a year the existence of these Commissions from the 1st January, 1889;

And, whereas acts of brigandage and armed attacks have much diminished in the Mudiriehs, and it is no longer necessary to retain the exceptional Commissions which were established to try the perpetrators of these crimes;

On the proposal of our Minister of the Interior, and in conformity with the advice of our Council of Ministers;

Decree as follows:

Article 1. The Commissions established in the Mudiriehs of Lower and Upper Egypt, as well as the High Commission sitting at the Ministry of the Interior, to judge crimes committed by armed bands, are suppressed.

Art. 2. Sentences passed by the Commissions of the Mudiriehs for crimes committed by armed bands are considered as having been passed by the Courts of First Instance of Lower and Upper Egypt, and as fulfilling the forms required by law. Those Judgments which have been given after the parties have been heard shall be reported, as a matter of course, to the native Court of Appeal at Cairo, or to that of Assiout, without awaiting the presentation of an application to that effect, and without regard to any of the prescribed time rules. Judgments given in default shall be reported to the Court of First Instance in the district where the crime has been committed.

Art. 3. The Court of Appeal of Cairo and the Courts of First Instance of Lower Egypt who are cognizant, according to the different cases, of affairs tried in the presence of the parties, or in default, shall conform to the provisions of the Criminal Code with regard to the procedure of the appeal, or of the opposition to the same.

On the demand of the Parquet, the parties shall be summoned to appear before the Court at the first sitting.

The Court of Appeal of Assiout and the Tribunals of First Instance of Upper Egypt shall conform to the existing rules in matters concerning the Appeal and the Judgments in default.

Art. 4. Matters relating to crimes committed by armed bands which are under trial at the High Commission shall, according to their nature, be referred to the Judges of the Native Courts, or to the Court of Appeal at Assiout.

Art. 5. Matters relating to armed attacks which, up to the date of the promulgation of this Decree, have not come for trial before the Commissions in the Mudirieh shall, according to their nature, be referred to the Parquet of the Native Courts of Lower Egypt or to the Tribunals of Upper Egypt.

Art. 6. If the Court is of opinion that it is necessary to complete or to recommence the investigation of a case, they must follow the prescribed rules in doing so.

Art. 7. Crimes imputed to malefactors, or persons without any profession or habitation, on which the Commissions instituted in the provinces or Mudiriehs have not yet pronounced, shall be tried within a month of the promulgation of the present Decree by those Commissions.

The High Commission established at the Ministry of the Interior shall sit during forty-five days from the date of the promulgation of the present Decree, with the object of pronouncing decisions upon cases which have been tried up till now, or which may be tried, by the Commissions in the course of next month.

Art. 8. Our Ministers of the Interior and of Justice are charged, each so far as this Decree concerns him, with the execution of it.

Done at the Palace of Abdine, the 15th Ramadan, 1306 (15th May, 1889).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

President of the Council of Ministers,
Minister of the Interior,
(Signed) RIAZ.

Minister of Justice,
(Signed) H. FAKHRY.

No. 14.

Sir E. Baring to the Marquis of Salisbury.—(Received May 27.)

My Lord, *Cairo, May* 19, 1889.

THE question of the establishment of a Municipality for Alexandria has, as your Lordship is aware, been for some time under discussion. Several meetings of the Consuls-General have been held on the subject, and it was ultimately decided to appoint a Committee, consisting of the Italian, German, Austrian, French, and Greek Consuls-General and myself, to try and come to some arrangement with the Egyptian Government. I should mention that M. Byzantios, the Greek Representative, did not attend the last meetings of the Committee.

The result of these negotiations was a draft Decree and a Circular note from Zulfikar Pasha asking the adhesion of Her Majesty's and other Governments to certain of the dispositions of this Decree. The Egyptian Government has of course full power in itself to create a Municipality for Alexandria, but the present proposals, in so far as regards the taxation of foreign subjects, can only be applied with the assent of the Powers, and it is to this that Her Majesty's Government are asked to adhere.

It is unnecessary for me to make any observations in detail on the present proposals Sir Edgar Vincent, who is now in England, will be able to give your Lordship any information that may be desired on the subject. I will only say that I see no objection to Her Majesty's Government giving their assent to the proposals contained in Zulfikar Pasha's note, of which I inclose a copy.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 14.

Zoulfikar Pasha to Sir E. Baring.

(Circulaire.)

M. le Ministre, *Le Caire, le* 16 *Mai*, 1889.

VOUS n'ignorez pas que MM. les membres du Corps Diplomatique et Consulaire vous avaient prié, ainsi que MM. vos collègues d'Allemagne, d'Autriche-Hongrie, de France, et d'Italie, de faire partie d'un Comité chargé de s'entendre avec le Gouvernement de Son Altesse sur l'établissement d'une Municipalité à Alexandrie.

Il est également à votre connaissance, M. le Ministre, qu'après différentes entrevues que son Excellence le Président du Conseil a eu avec MM. les Délégués du Corps Diplomatique et Consulaire, une entente complète s'est établie sur le projet que vous possédez déjà.

Le Gouvernement de Son Altesse est tout disposé à mettre immédiatement à exécution ce projet qui, dans son ensemble, rentre dans la sphere de son administration intérieure. Toutefois, certaines dispositions du projet, ayant trait à des taxes déjà existantes et à créer, ne sauraient être applicables aux étrangers sans l'assentiment des Puissances; aussi je m'empresse, M. le Ministre, de faire appel à votre obligeance pour soumettre au Gouvernement de Sa Majesté Britannique le texte des dispositions que j'ai l'honneur de vous communiquer ci-joint et obtenir son adhésion.

Le Gouvernement de Son Altesse ose d'autant plus compter sur votre valable appui en cette circonstance, que M. le Doyen du Corps Diplomatique et Consulaire a bien voulu, par une communication antérieure, informer mon prédécesseur que MM. les Représentants des Puissances s'efforceraient d'obtenir, sans délai, l'agrément de leurs Gouvernements respectifs à l'établissement des taxes qui pourraient résulter pour leurs nationaux d'une organisation nouvelle de la Municipalité d'Alexandrie.

Le Décret du 31 Janvier dernier, qui a prorogé pour une nouvelle année la perception de diverses taxes destinées à faire face aux dépenses d'édilité d'Alexandrie, avant d'être en vigueur le 31 Décembre prochain, je ne crois pas avoir besoin, M. le Ministre, d'attirer votre bienveillante attention sur la nécessité pour le Gouvernement de Son Altesse d'obtenir prochainement l'adhésion qu'il sollicite, et de procéder en temps utile à la publication du Décret organisant la nouvelle Municipalité.

Je me plais à croire, M. le Ministre, que les Puissances voudront bien apprécier ce témoignage de bon vouloir que le Gouvernement de Son Altesse donne aux colonies étrangères en les admettant à faire partie d'une Commission Municipale, et, par suite,

à régler l'emploi des taxes dont le produit est exclusivement affecté à la ville d'Alexandrie.

Veuillez, &c.
Le Ministre des Affaires Étrangères,
(Signé) ZOULFIKAR.

(Translation.)

(Circular.)
M. le Ministre, *Cairo, May* 16, 1889.

YOU are aware that the members of the Diplomatic and Consular Body have requested you and your German, Austro-Hungarian, French, and Italian colleagues to take part in a Committee charged with the duty of coming to an understanding with the Government of His Highness on the subject of establishing a Municipality at Alexandria.

You are also aware, M. le Ministre, that after several interviews which his Excellency the President of the Council had with the Delegates of the Diplomatic and Consular Body, a complete understanding was arrived at on the subject of the proposal which is in your possession.

The Government of His Highness are quite ready to put into immediate execution the proposal, which, as a whole, comes within the sphere of their administration of home affairs. Nevertheless, certain provisions of the project, relating as they do to taxes already in existence or to new ones to be imposed, cannot be made applicable to foreigners without the assent of the Powers; and I therefore hasten to ask you, M. le Ministre, to be so good as to submit to the Government of Her Britannic Majesty the text of the Regulations which I have the honour to submit herewith, and to obtain their assent to them.

The Government of His Highness ventures all the more to count upon your valuable assistance in this matter that the Doyen of the Diplomatic and Consular Body was good enough to inform my predecessor, in a previous communication, that the Representatives of the Powers would do their best to obtain without delay the consent of their Governments to the levying of the rates which would have to be imposed upon their nationals in consequence of the establishment of a new organization of the Municipality of Alexandria.

The Decree of the 31st January, which extended for a year the levying of various taxes destined to meet the expenses of public works in Alexandria, lapses on the 31st December next, and it is hardly necessary for me, M. le Ministre, to draw your attention to the necessity which exists for the Government of His Highness to obtain without delay the adhesion which they desire, so as to proceed at the proper time to the publication of the Decree organizing the new Municipality.

I venture to think, M. le Ministre, that the Powers will appreciate this mark of good-will which the Government of His Highness give to the foreign colonies in admitting them to take part in a Municipal Commission, and, consequently, in the regulation of the employment of rates of which the produce is exclusively devoted to the city of Alexandria.

Accept, &c.
The Minister for Foreign Affairs,
(Signed) ZULFIKAR.

No. 15.

Major Watson, R.E., to the Marquis of Salisbury.—(Received May 29.)

My Lord, *Chatham, May* 27, 1889.

I HAVE the honour to bring the following matter to the notice of your Lordship.

During the past two years there have appeared in various newspapers communications drawing attention to the difference between the policy followed by Colonel Kitchener, C.M.G., R.E., when Governor-General of the Red Sea Littoral, and that which I endeavoured to carry out while occupying the same position in 1886.

As it is not the business of an officer to enter into a discussion in the public press, I have refrained from noticing them. But recently papers have been presented to Parliament ("Egypt No. 1, 1889") in which statements are made with regard to affairs at Suakin which are calculated to convey a wrong impression, and to these I feel it my duty to call your Lordship's attention.

From these papers it appears that, on the 1st January, 1889, Sir Evelyn Baring forwarded to your Lordship a paragraph from the "Pall Mall Gazette" of the 11th December, 1888, and inclosed with it a telegram from General Sir F. Grenfell, then at Suakin, in which the latter informed Sir E. Baring as follows:—

"Brewster Bey has written to me officially to say the whole of the paragraph headed 'The Peace Mission of Brewster Bey,' in 'Pall Mall Budget,' is a gross fabrication, and he is anxious that this should be reported to you."

The words actually written by Brewster Bey were that the paragraph in question was "a gross misrepresentation from first to last of the truth."

Now, I beg to submit that, so far from its being either "a gross fabrication" or "a gross misrepresentation," the paragraph is correct, containing only a few trivial errors, such as are not unfrequently made by newspaper correspondents who have not access to official documents.

These errors, which are unimportant, are as follows:—

1. Hadendowa is named instead of Amarar, and Handoub instead of Tamai.

2. So far as I am aware, there was no order to prevent me carrying on negotiations with the Arabs outside Suakin. The order which is probably referred to was as follows:—

"It is the wish of the English and Egyptian Governments that no active operations of any kind be undertaken at Suakin."

This did not apply to such a case as sending Brewster Bey on a political mission of peace. He was a civil official, being Director of Customs at Suakin.

3. The words used in my communication to Major Rundle, when he endeavoured to stop Brewster Bey, were not those attributed to me by the writer of the paragraph, but were as follows:—

"If you refuse to obey the order to pass him" (Brewster Bey) "through the lines, you will incur a very grave responsibility."

4. The words stated to have been spoken by the Sheikh at the meeting of Brewster Bey with the Arabs are not quite correctly quoted. The following is an extract from the Report made to me by Brewster Bey on the day after the meeting, which shows what the Sheikh in question said in his address to the tribesmen:—

"At sunset a large meeting took place, the Arabs outside, the Sheikhs in the inner circle, and Mahmoud Bey Ali, with Mahmoud Gilani on his left and myself on his right, in the centre. Mahmoud Ali commenced by telling the Arabs that he was there with two messengers, one from the Government with peace, and the other from Osman Digna, also with offerings of peace, and it remained for them to choose which they would attend to. They all replied that they would listen to me, and did not want Osman's messenger or message, but would have his life. They said they knew there would be many deaths on both sides, but they were prepared for that, as the Government had shown that it trusted them by sending me to them, and they would prove worthy of the trust."

With the above alterations the paragraph from the "Pall Mall Gazette" is accurate, and I am unable to understand how it can be called a gross fabrication.

The second matter in the Parliamentary Paper to which I wish to draw your Lordship's attention is a Memorandum by Colonel Kitchener, who seems anxious to prove that my policy while at Suakin was exactly the same as his.

I cannot indorse his description of my views, and would observe that in nearly all the fights which took place while I was in command Osman Digna was the attacking party, and not the well-disposed Arabs. It is singular that Colonel Kitchener includes among "raids and fights" a visit which I paid to the camp of the Amarars on the 28th June, 1886. On the occasion of this so-called raid I was unaccompanied by any military force whatever, and, so far from it being a military operation, this was a friendly meeting I had with more than a thousand Arabs, a considerable number of whom had been followers of Osman Digna a short time previously.

Colonel Kitchener incorrectly describes my object with regard to Tamai. My endeavour was to prevent supplies entering that place, and gradually to induce the tribesmen to abandon Osman Digna. In order to show clearly what my object was, and the manner in which I worked to carry it out, I have attached to this letter copies of some of the Reports made from time to time to the Egyptian Government, and also a copy of part of a letter to General Sir F. Stephenson, which was forwarded to the Foreign Office by Sir H. Drummond Wolff. In this letter I wrote—

"I am not very anxious for them" (*i.e.*, the friendly Arabs) "to attack Tamai, believing that the blockade, if it can be kept up, will be better, and obtain the desired result with less loss of life."

Colonel Kitchener in his Memorandum says: "I did not, and do not, consider it was any change of policy when I urged the loyal Arabs to continue their advance from Tamai to Tokar, a distance of some 25 miles, and give the inhabitants of that place the assistance they required."

With regard to this, I would observe that Colonel Kitchener's action with regard to Tokar, as stated in his despatch to General Grenfell of the 15th October, 1886, was a complete change from the policy that had preceded the fall of Tamai. His order to the tribes was that Tokar should be given up to him. The change led to results that might have been anticipated.

Following the Memorandum by Colonel Kitchener is a despatch to Sir E. Baring from General Sir F. Grenfell, in which he also endeavours to show that my policy was exactly the same as Colonel Kitchener's, and states that my primary object was the capture of Tamai. This view is not supported by my Reports, and, in fact, the capture of Tamai by assault was not my principal object. My aim, as already stated, was to isolate Osman Digna, and to draw away his followers by degrees with as small a loss of life as possible.

General Grenfell quotes an entry in the Suakin Diary as follows:—

"*June* 21, 1886.

"Mahmoud Bey Ali and Brewster Bey sent to Handoub to meet friendly Shiekhs to concert measures for an attack on Tamai."

But in the printed copy of the Diary the passage runs as follows:—

"Brewster Bey and Mahmoud Ali Bey left for Handoub 10·30 A.M., the Sheikhs being anxious to see them."

I am unable to account for this difference; but the Diary, as printed gives the fact correctly, as Brewster Bey was sent to Handoub entirely at the request of the Sheikhs themselves.

In the succeeding paragraph of his despatch General Grenfell states that I was recalled from Suakin "not from political but from purely military reasons." This, so far as I am aware, being the first time that such a statement regarding me has been made, I have referred it to my military superiors, and will not further enter upon it in this letter, which is written to point out to your Lordship that the allegation that Colonel Kitchener's policy at Suakin and mine were identical is incorrect.

To put the matter shortly, my policy was, not to interfere actively with the interior of the country, but to persuade and encourage the tribes to pacify their own districts, holding out to them as an inducement to do so the promise that trade would be reopened in those districts so soon as they were restored by the tribes themselves to a peaceful condition.

Colonel Kitchener, on the contrary, interfered directly with the interior of the country, as for example, when he ordered Tokar to be given up to him within three days (an order which he had no power to enforce), and when he appointed Government Agents for Sinkat and other places in the interior.

As the issue of the Parliamentary Paper in question publicly conveys an erroneous idea of my action while Governor-General at Suakin, I would, in conclusion, respectfully ask your Lordship to be so good as to allow this letter and the accompanying inclosures to be published in the next Egyptian papers presented to Parliament.

I have, &c.

(Signed) C. M. WATSON.

Inclosure 1 in No. 15.

Watson Pasha to Nubar Pasha, May 19, 1886.

[See "Egypt No. 2 (1887)," p. 11.]

Inclosure 2 in No. 15.

Watson Pasha to Nubar Pasha.

Excellency, *Suakin, June* 10, 1886.

I HAVE the honour to make the following Report upon the progress which has been made in the direction of peace during the past month.

The relief of the Anglo-Indian garrison of Suakin by Egyptian troops took place early in May, and was completed by the 9th of that month.

The former garrison was composed as follows :—

English troops: 1 battalion infantry, 1 troop mounted infantry, 1 battery garrison artillery.

Indian troops: 3 battalions infantry, 2 squadrons cavalry, 1 company sappers.

Total strength, about 3,200, not including the staff and Departments or the Indian camp followers.

The present Egyptian garrison is 2,300 strong, and is composed thus :—

Egyptian troops: 2 battalions infantry, 1 troop cavalry, 1 section Camel Corps, 1 battery garrison artillery.

Black troops: 1 battalion infantry.

This force, while amply sufficient for the defence of Suakin, did not allow sufficient men to hold all the outlying positions previously occupied, and the camps at Graham's Point and at Sikh Redoubt were given up.

So far as was known, the position of the enemy was as follows :—

Osman Digna, the leader of the insurrection, was at Tamai with a force variously estimated at from 1,000 to 3,000 fighting men. He had built a fort and mounted upon it the brass mountain guns taken at Kassala. The influence which he exerted through the country was still very considerable, although many of the Arabs had ceased to believe in the Mahdi, and were weary of the cruelty with which Osman treated them.

At Hashim, 8 miles from Suakin, was the Emir Mohamed Adam Sardun, Osman's best General, with a considerable force. To him Osman had intrusted the duty of watching Suakin, and his force supplied the piquets which surrounded the town and watched the movements of the garrison.

To the north, in the vicinity of Shinab, was the rebel Emir Onur, who appears to have had charge of the market at that place, to which stores were brought from the Arabian coast and thence sent to Tamai by camel. There had also been a certain amount of trade to Tamai of goods imported from Massowah, but Osman Digna does not appear to have encouraged this, and on one occasion, when a caravan approached Tamai from Khor Baraka, he put the men in prison, killed the camels, and took possession of the goods.

During the time that the change in the garrison of Suakin was being carried out, I took every opportunity of discussing the political situation with the Sheikhs and Notables of the town. I pointed out to them the evils which the rebellion had caused, and the advantage it would be to themselves if peace was re-established and trade reopened. I showed them that, as it was the tribes which had brought about the present state of affairs, they must put an end to it; that the Government would help neither with soldiers nor with money, but that, if tranquillity was restored, trade would be allowed again and ports would be opened at convenient places, as, for example, at Rowayah to the north for the Amarars, and Akik to the south for the Beni-Amer.

All those with whom I spoke entirely agreed, and several of the most important people here asked if I had any objection to their writing to their friends among the tribes, pointing out the advantages of peace. I replied that they were quite free to write if they wished, but that it would not be the least use for the Sheikhs outside to say that they wanted peace if they did nothing. If, however, they would take such steps as would bring about peace and put an end to the rebellion, I said that I would be glad to represent this to the Government and obtain authority for allowing trade to be reopened.

Letters were accordingly sent by persons of influence here to the Sheikhs of the Amarars, Beni-Amer, Ashraffs, Hamdabs, Garrib, and other tribes.

From time to time a considerable number of Arabs came in from outside in hopes of being allowed to remain in Suakin, but the rule was rigidly enforced that every one coming from outside was to be looked upon as a rebel and not allowed to remain. In order, however, that they might not fall into the hands of Osman Digna, I sent these people away by sea to Rowayah or Akik. Before leaving here they were always informed that so long as the state of war lasted no one who came from outside would be allowed to remain in Suakin, but that, as soon as peace was re-established, every one could come and go as of old, and they were recommended to inform all the Arabs of this.

How far the letters which were sent out produced an effect, it is difficult to say, but it was soon evident that the state of feeling among the tribes was steadily improving, and that a large section of the Arabs were in favour of peace and of the recommence-

ment of trade. This naturally incensed Osman Digna, and he sent an army to the north to compel the submission of the Amarars, and another to the south to chastise the Beni-Amer and Ashraffs.

But the tribes determined to resist, and the Amarars stopped the advance of the northern force, while the Beni-Amer and Ashraffs collected under the command of Sheikh Abu Fatmeh and prepared to fight Digna's southern army.

Hamed Kantibai and his brother Haddad, the head Sheikhs of the Habab tribe, also wrote to say that they were collecting a force near Teklai on the coast and intended to fight the rebels. It will be remembered that Hamed Kantibai had been on friendly terms with the Italians at Massowah, but now, for some reason which is not yet fully explained, he appears anxious to return to his allegiance to the Egyptian Government.

On the 16th May I received a letter from several of the Sheikhs who were with Osman Digna at Tamai, stating that nearly all the Sheikhs there wanted peace, and asking if they might be allowed to see Mahmoud Ali Bey to arrange the matter with him.

Captain May, R.N., the Senior Naval Officer at Suakin, kindly said that he would take Mahmoud Ali Bey in his own ship, Her Majesty's ship "Condor," to the point on the coast nearest to Tamai. I sent Brewster Bey to be present at the interview. The "Condor" stopped at the small port of Mersa Haddhu, and the Sheikhs from Tamai came on board her there. They said that they as well as many others were tired of the war, and would do anything they could in the direction of peace; that they were unable to leave Osman Digna, as he had their families and cattle in his power, but that they would try to capture him and bring him in a prisoner to Suakin.

They asked if the reward for his head offered by Admiral Hewett was still in force. Brewster Bey informed them that no reward was offered for his head, but that if they brought him in as a prisoner they would be well recompensed.

The Sheikhs returned to Tamai, promising to do all they could in the interests of peace.

I have already mentioned that the Emir Onur was in the vicinity of Shinab, and had charge of Osman Digna's stores near that place. Having received information which led me to believe that his capture might be effected without much difficulty, I dispatched the "Jafferieh" to Rowayah on the 21st May, sending in her about 200 of Mahmoud Ali's Arabs. On her arrival at Rowayah it appeared that Onur was at Yamina, about 7 miles from the coast. The Arabs were landed, and, in conjunction with the tribesmen in the vicinity, surrounded and captured Onur without fighting. A large quantity of cloth and grain, which was about to be sent to Osman Digna at Tamai, was also captured.

As I anticipated that a part of the northern rebel force, which was held in check by the Amarars, would attack Mersa Sheikh Barghut, I had ordered the "Jafferieh" to land Mahmoud Ali's men at that place in order to protect the natives. The "Jafferieh" arrived there on the 25th May, and on the 27th a rebel force, under the Emir Mohamed Madani, a nephew of Osman Digna, moved upon Sheikh Barghut. As the rebels advanced they fired a volley, killing one of the Friendlies, upon which Mahmoud Ali's men charged with such vigour that they completely routed the enemy in a few minutes, killing the Emir and about forty-six others. The remainder of the rebels fled, and about the same time the rest of Osman Digna's force, which had been sent against the Amarars, dispersed, a part of the Arabs going to their homes and the rest returning to Tamai.

When Osman Digna heard of the capture of the Emir Onur he was very angry, and sent orders to the Emir Mohamed Adam Sardun, at Hashim, to collect all the men he could and punish the Amarars. Sardun advanced to the north-west and was opposed by the Amarars at a place between Odrus and Arbat. It is not quite clear what happened, but, after a short time, most of his followers appeared to have abandoned him. The Amarars then attacked and killed him and some others. The result of this fight is that the whole country north of Suakin, as far as Shinab, is now clear of rebels.

The Amarars, who were anxious for peace, now began to collect at Mersa Sheikh Barghut, and by the 2nd June nearly 1,000 of various sub-tribes had assembled there. To encourage them and to show that the Government appreciated their recent action, a small market was opened at Sheikh Barghut, and the Suakin merchants were allowed to sell grain and goods there. On the 8th June a considerable number of Amarars assembled at Sallum, a place between Sheikh Barghut and Handoub. Communication between Suakin and the north had become easy, and a single man could ride through the country without danger.

I have already mentioned that at the time when Osman Digna had sent an army to

the north against the Amarars he had dispatched another body of rebels to the south to overawe the Beni-Amer and Ashraffs.

These tribes collected to resist, and Osman's force seems to have become demoralized before any fighting commenced, and the rebels either scattered to their homes in the mountains or returned to Tamai.

As the country in the vicinity of Rowayah now appeared to be perfectly quiet, I sent the "Jafferieh" to establish a post near the salt-fields, and the contractor promises to begin work on the 1st July, on which date he will pay the first instalment of the rent, *i.e.*, 500*l.*

To sum up, so far as present information enables me to form an opinion, the present state of affairs is as follows:—

The country to the north and north-west of Suakin has been cleared of rebels.

The country to the south of Tokar is quiet, and the greater part of the tribes are opposed to Osman Digna. They do not want to attack him, but will defend themselves if attacked by the rebels.

Osman's influence has greatly diminished. He is reported to have written to Abdallah, at Khartoum, asking for help, as he says that the Arabs near Suakin have become infidels.

In conclusion, I would observe that the present policy appears to be giving satisfactory results.

I have, &c.
(Signed) C. M. WATSON, *Pasha,*
Governor-General, Red Sea Littoral.

Inclosure 3 in No. 15.

Watson Pasha to Nubar Pasha.

Excellency, *Suakin, July 7,* 1886.

IN my Report dated the 20th June I had the honour to inform you that the Amarars had assembled at Handoub. The total number was about 1,200.

On the 22nd June I sent Brewster Bey to Handoub to discuss the political situation with the Sheikhs, and he had a very satisfactory interview with them. It was arranged that the Amarars should move gradually towards Tamai and get into communication with Osman Digna's followers, so as to try to draw them away from him. In accordance with this arrangement, the Amarars advanced from Handoub to Hashim. Here they were attacked on the night of the 23rd June by a force sent against them by Osman Digna. The rebels were quickly repulsed with the loss of thirty-two men killed, while the Amarars lost two men only. On the 26th the latter moved from Hashim to Suakin, and encamped outside the fortifications. From thence they sent parties by night to fire into Osman Digna's camp. Their action has completely cleared the rebels from the vicinity of Suakin.

On the 6th instant it was arranged that the Amarars should make a move in the direction of Tamai, the camel-men going by land, while the foot-men were sent to Mersa Haddhu in His Highness' ships "Jafferieh" and "Tor." A combined advance was made to Terowi, and a large quantity of the rebels' flocks, about 160 camels and 200 cattle and sheep, were carried off. Some prisoners were also taken. The Amarars pursued the rebels nearly to Tamai, and returned in the evening to Suakin with the cattle they had captured. This success has greatly encouraged them, and has had a depressing effect upon the rebels. The number of people who escape from Tamai to Suakin is increasing. The majority of them are not allowed to remain in the town, but are sent to the Government station at Mersa Sheikh Barghut.

The news from north and south continues satisfactory, and up to the present there is no indication of a reaction in favour of Mahdiism.

I have, &c.
(Signed) C. M. WATSON, *Pasha,*
Governor-General, Red Sea Littoral.

Inclosure 4 in No. 15.

Watson Pasha to Nubar Pasha, August 17, 1886.

[See "Egypt No. 2 (1887)," p. 101.]

Inclosure 5 in No. 15.

Sir H. Drummond Wolff to the Earl of Iddesleigh, August 8, 1886.

[See "Egypt No. 2 (1887)," p. 88.]

No. 16.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, June 5*, 1889.

I HAVE received your despatch of the 19th ultimo, inclosing a copy of a Circular note from Zulfikar Pasha, requesting the adhesion of Her Majesty's Government to certain dispositions of a Decree which it is proposed to issue for the establishment of a Municipality at Alexandria.

You may inform the Egyptian Government that Her Majesty's Government are prepared to assent to the Decree in question.

I am, &c.
(Signed) SALISBURY.

No. 17.

Sir E. Baring to the Marquis of Salisbury.—(*Received June* 6.)

My Lord, *Cairo, May* 28, 1889.

I HAVE the honour to state that according to a Report by Boinet Bey on the agricultural statistics of Egypt, it is estimated that in 1888 about 29 per cent. of the whole cultivated area produced two crops in the course of the year, as compared with a figure of 23 per cent. for the preceding year. The total amount of cultivation in 1888 shows an increase of about 6 per cent. over that in 1887.

I have, &c.
(Signed) E. BARING.

No. 18.

Sir E. Baring to the Marquis of Salisbury.—(*Received June* 22.)

(Extract.) *Cairo, June* 9, 1889.

I HAVE the honour to transmit herewith copy of a Khedivial Order pardoning a certain Sheikh, Mohamed Abdou, who had been degraded and exiled for participation in the Arabist movement of 1882. The Sheikh has been in exile for three years, and I venture to think that the present Order is a wise act of clemency on the part of His Highness the Khedive.

Inclosure in No. 18.

Extract from the "Journal Officiel" of June 8, 1889.

Ordonnance Khédiviale transmise pour exécution à son Excellence le Ministre de l'Intérieur, à la date du 6 *Juin courant* (8 *Chawal*, 1306).

LE Cheik Mohamed Abdou, ex-Chef du Bureau Arabe de la Presse, dégradé et expulsé du territoire Égyptien pendant trois années, pour participation aux événements de 1882, ayant sollicité sa grâce de notre haute bienveillance.

Cédant aux sentiments de bonté qui nous animent à l'égard de notre peuple, nous avons daigné accéder à cette prière et ordonnons en conséquence que le Cheik Mohamed Abdou rentre en possession de ses titres et distinctions honorifiques et puisse, en outre, s'il y a lieu, reprendre du service au Gouvernement.

Nous vous transmettons, à cet effet, la présente Ordonnance.

(Translation.)

Order of the Khedive transmitted for Execution to his Excellency the Minister of the Interior, under date of June 6 (8 *Chawal*, 1306).

THE Sheik Mohamed Abdou, ex-Director of the Arab Bureau of the Press, degraded and expelled for three years from Egyptian territory for participation in the events of 1882, having petitioned for our pardon,

Prompted by our feelings of benevolence for our people, we have deigned to grant his prayer, and order consequently that the Sheik Mohamed Abdou may resume his titles and honorary distinctions, and may, should occasion offer, re-enter the Government service.

With this intent, we forward to you the present Order.

No. 19.

Sir E. Baring to the Marquis of Salisbury.—(*Received June* 22.)

My Lord, *Cairo, June* 9, 1889.

I HAVE the honour to transmit herewith the Report of the Alexandria General Produce Association on the present prospects of the cotton crop.*

Your Lordship will observe that the condition of the crop is very satisfactory, and that, owing to the "barrage" and the present system of distributing the water supply, no serious inconvenience has as yet been caused by the abnormally low Nile of 1888. All danger is, however, not passed, as, unless the Nile begins to rise soon, there will hardly be a sufficient supply of water for the month of July.

This satisfactory result, coming in a year so unfavourable to agriculture, reflects the highest credit upon the officials of the Public Works Departments. It is owing to their efforts that the water supply has not failed, and I am informed that the success of their endeavours to cope with the present difficulty has been warmly recognized by the fellaheen in all parts of the provinces.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 19.

Extract from the "Messaggiere Egiziano" of June 8, 1889.

COTTON CROP PROSPECTS, MAY 1889.—The temperature in general during May has been favourable for the growing crop, the plants are duly developed and look well.

The distribution of water continues satisfactory, cotton lands are easily irrigated, and in some places even by gravitation.

As we have already stated, this condition is due to the "barrage" and to the system of rotation established throughout the country; by these means the water is maintained at a relatively high level. As shown by the following Table the deficiency of water at Cairo this year is insignificant as compared with the previous three years, in spite of the large deficiency at Assouan. The figures are of date the 29th May:—

	Cairo.	Assouan.
	Pics kirats.	Pics kirats.
1886	8 16	1 13
1887	8 14	1 22
1888	8 14	1 14
1889	8 5	0 15

* Not printed.

It will be observed that these figures differ but little from those of our last résumé.

The deficiency at Cairo being so small it is hoped that the water at the "barrage" will suffice for the June requirements. The question remains whether there will be sufficient supplies in July, when, owing to the greater heat, more water is required for cotton, and, further, there will be large requirements for the maize crops. This question depends upon the early or late rising of the Nile.

We confirm our previous estimate that the area sown with cotton is equal to that of 1888. We await the official figures of the Government, and hope to have them in time for our résumé at the end of June.

Thus, all our information tends to show that the condition of the growing crop is very satisfactory up to this date. The well-grown plants have the advantage of being better able to resist adverse circumstances; but it is impossible as yet to appreciate what circumstances, either for good or ill, may arise. The water question is still one that gives some anxiety.

Alexandria, May 31, 1889.

No. 20.

Sir E. Baring to the Marquis of Salisbury.—(*Received June* 22.)

My Lord, *Cairo, June* 9, 1889.

I HAVE the honour to transmit herewith a note by M. Ornstein on public works in Egypt. A copy of this note has been presented to the French Consul-General in the hope that it may help to remove the objections put forward by the French Government to the provisions for additional expenditure on public works, which form part of the conversion scheme at present under the consideration of the Powers.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 20.

Memorandum respecting Public Works in Egypt.

LORS de la Convention de Londres en 1885, il fut admis que les ressources budgétaires des travaux publics étaient insuffisantes pour réaliser, dans les conditions d'irrigation du pays, les améliorations indispensables réclamées par l'agriculture.

D'accord sur la nécessité et l'urgence de donner une légitime satisfaction à des intérêts qui ont une influence prépondérante sur la situation économique et financière de l'Égypte, les Puissances inscrivirent, à la charge de l'Emprunt Garanti, une somme de 1,000,000*l.*, destinée au développement de l'irrigation.

Cette dotation, dont l'emploi fut contrôlé par la Caisse de la Dette Publique, a été consacrée à l'exécution de grands travaux ayant pour but de régulariser et d'augmenter la distribution des eaux du Nil, au profit des importantes cultures de la Basse-Égypte.

Ces travaux consistent principalement dans l'utilisation du barrage, par sa consolidation et le relèvement de son niveau d'arrêt des eaux, dans la construction d'ouvrages connexes tels qu'écluses, barrages secondaires, &c., et dans le creusement du grand canal de dérivation Tewfikieh, appelé à distribuer les eaux du Nil dans les provinces orientales du Delta.

Mais par suite des difficultés à établir un devis rigoureux du travail exigé par le barrage, la dépense engagée dans cette œuvre considérable dépassera de 190,000*l.* le crédit total du million.

L'achèvement de ces travaux, et ils peuvent être terminés en 1890, mettra la Basse-Égypte hors d'atteinte des dangers d'une crue insuffisante, et la récolte du coton qui dépend entièrement d'une irrigation facile et abondante à l'époque de l'étiage, pourra profiter de toute l'eau du fleuve dont rien ne sera désormais perdu pour la culture.

C'est ainsi qu'on obtiendra, après de longues années, la réalisation du grand projet des deux éminents ingénieurs, Linant de Bellefonds et Mougel Bey, sous l'initiative et la direction desquels le barrage a été primitivement construit.

En l'état actuel, les services rendus par le barrage sont incalculables; aux moments les plus critiques de la plantation du coton, la Basse-Égypte a pu bénéficier d'un

arrosage suffisant qui aurait complètement fait défaut avec l'étiage excessivement bas de cette année.

La récolte du coton se chiffre par une valeur de 9,000,000*l.* environ (234,000,000 fr.) et l'on peut dire sans être taxé d'exagération que les deux tiers de cette culture auraient été perdus si les travaux exécutés au barrage n'avaient eu pour résultat de retenir les eaux à un niveau élevé qui a permis l'irrigation dans tous les districts cotonniers.

D'autres travaux d'une utilité non moins immédiate ont été également exécutés.

La principale cause de la détérioration notoire des terres surtout dans les districts du nord de l'Égypte, réside dans l'insuffisance des canaux de drainage et le mauvais entretien de ceux qui existent; ainsi, dans les parties basses du Delta d'immenses superficies ne peuvent plus être cultivées qu'en rizières et elles ne tardent pas à se transformer en marécages par l'apport continue des eaux qui ne trouvent aucune issue ni déversoir. L'expérience des dernières années a permis de juger combien il serait facile de rappeler à la culture les excellentes terres, aujourd'hui pour la plupart stériles, qui forment les bararis (districts marécageux de l'extrême nord du Delta) et qui bordent les Lacs Menzaleh, Bourlos, Edkou, et Mariout.

Depuis 1884, de nombreux canaux d'écoulement ont été ouverts dans chacune des provinces de la Basse-Égypte, mais le Budget ordinaire des travaux publics absorbé par des charges multiples des besoins courants du pays, ne peut subvenir aux dépenses qu'entraînerait l'exécution complète si utile, du réseau de drainage pour lequel il faudrait pouvoir disposer de 460,000*l.*

Jusqu'à présent, l'attention a été dirigée presque exclusivement sur la Basse-Égypte; les résultats avantageux qui commencent déjà à se produire, justifient les efforts tentés dans cette direction; ils ne doivent pas cependant faire oublier que les terres de la Haute-Égypte, bien moins favorisées, sont frappées d'un impôt non moins lourd que celui de la Basse-Égypte.

La Haute-Égypte ne peut irriguer ses terres qu'au moment de la crue; cette partie du pays se trouve ainsi exposée soit à une inondation excessive, soit à la sécheresse, selon que les eaux du Nil sont trop hautes ou trop basses.

Chaque année des étendues considérables du sol cultivable sont privées d'eau et ne peuvent porter récolte, aussi le Trésor est-il obligé, même dans les années de crue ordinaire, d'accorder des dégrèvements d'impôt qui se chiffrent annuellement par environ 40,000*l.*; dans les anneés de mauvais Nil la perte atteint des proportions énormes; ainsi, en 1878, année où la famine a sévi dans les provinces méridionales, les non-valeurs de l'impôt foncier seul se sont élevées à 1,118,000*l.*; cette année les terres non irriguées ("charikas") et conséquemment improductives, comprennent environ 350,000 feddans (148,000 hectares) qui représentent 350,000*l.* environ, d'impôts fonciers absolument perdus pour le Trésor.

Dans la tâche immense qui s'impose de sauvegarder les revenus de l'État, en assurant la conservation des cultures et en développant les forces productives du sol, on ne saurait donc plus longtemps négliger la Haute-Égypte.

Le Gouvernement s'est préoccupé à juste titre d'une situation qui peut avoir de si graves conséquences au point de vue économique et financier; des études très approfondies ont été faites pour rechercher les moyens de mettre le pays à l'abri du retour de pareils désastres et la conclusion a été qu'à l'aide d'une série de travaux résumés ci-après, on arriverait à ce que, même dans les plus mauvaises années de bas Nil, il n'y ait aucune terre "charaki" dans une localité quelconque du territoire de l'Égypte

	Ouvrages de Maçonnerie.	Travaux de Terrassement.			
		Nouveaux Canaux.	Élargissement et Approfondissement des Canaux actuels.	Total du Coût des Terrassements.	Total Général.
	£ E.	£ E.	£ E.	£ E.	£ E.
Haute-Égypte ..	203,730	273,979	250,690	524,669	728,399
Basse-Égypte ..	24,300	42,940	..	42,940	67,240
Total ..	228,030	316,919	250,690	567,609	796,639

Il est évident que le Budget ordinaire des travaux publics ne peut faire face à une telle entreprise et cependant il y a une impérieuse nécessité à rendre moins précaire la situation de l'agriculture dans la Haute-Égypte et à la protéger contre les redoutables éventualités qui la menacent périodiquement.

La corvée, malheureusement, ne peut apporter un grand concours au travail de ces terrassements ; dans la Haute-Égypte, elle est pour la plus grande partie employée au curage des canaux et au maintien des digues ; au moyen de la corvée et du fonds de son rachat partiel, 5,000,000 de mètres cubes de terre sont manipulés annuellement dans les deux provinces méridionales du Guerga et Kena.

On ne saurait donc imposer à la population corvéable une nouvelle tâche aussi considérable ; il faut nécessairement disposer de ressources spéciales ; une dotation de 500,000*l.* attribuée à l'exécution de ces travaux laisserait encore à la charge de la corvée 15,000,000 de mètres cubes de terrassement, dont 11,000,000 pour Guerga et Kena.

Il y a encore bien des travaux à entreprendre dont le pays retirerait de grands avantages ; en première ligne, il convient de signaler la restauration du Rayah Béhérah, canal desservant les districts en aval du barrage mais qui, négligé et mal entretenu depuis longtemps, ne rend plus que de faibles services à l'irrigation ; du jour où ce canal serait mis en état, les pompes élévatoires d'Atfeh et celles de Katatbeh cesseraient d'être indispensables. La dépense annuelle pour ces pompes est de 50,000*l.*

Pour atteindre ce résultat et obtenir d'autres avantages du même genre, il faudrait pouvoir disposer d'une somme de 100,000*l.*

En résumé, les fonds nécessaires pour l'achèvement et l'exécution de tous ces travaux se répartissent ainsi :—

	£
Achèvement du barrage et travaux connexes engagés	190,000
Canaux d'écoulement et de drainage	460,000
Travaux de la Haute-Égypte	500,000
Divers travaux d'intérêt immédiat et général	100,000
Total	1,250,000

Sur ce chiffre, les dépenses qui ont un caractère d'urgence immédiate sont :—

	£
Achèvement des travaux du barrage	190,000
Travaux de la Haute-Égypte et travaux d'écoulement	500,000
Total	690,000

Les travaux qui viennent d'être succinctement énumérés doteront le territoire, dans toute son étendue, d'un système complet de canalisation, de nature à assurer l'irrigation et le drainage des eaux ; ce sont donc des dépenses essentiellement reproductives.

Dans un pays comme l'Égypte, où tout repose sur l'agriculture et où la vie agricole dépend uniquement d'une judicieuse distribution des eaux du Nil, le développement des ressources du sol est intimement lié à l'amélioration des conditions de la culture ; en consacrant à cette œuvre des sommes relativement minimes si on les compare à l'importance des résultats à atteindre, on réalisera le double but, de l'accroissement de la richesse nationale et des revenus du Trésor.

(Signé) J. J. ORNSTEIN.

Le Caire, le 7 Juin, 1889.

(Translation.)

AT the time of the London Convention of 1885, it was admitted that the Budget credits for public works were, in view of the condition of irrigation in the country, insufficient to secure the indispensable improvements claimed by agriculture.

The Powers, agreed as to the necessity and urgency of giving just satisfaction to interests which have a preponderating influence on the economical and financial situation of Egypt, charged the Guaranteed Loan with a sum of 1,000,000*l.*, to be devoted to the development of irrigation.

This credit, the employment of which was controlled by the Caisse of the Public Debt, was devoted to carrying out works on a large scale, the object of which was to regularize and increase the distribution of the waters of the Nile, for the benefit of the chief products of Lower Egypt.

These works consisted chiefly in the utilization of the "barrage," in its consolidation, and in raising the level at which it can retain the water, in the construction of subsidiary works such as locks, dams, weirs, &c., and in digging the great subsidiary Tewfikieh Canal, for the purpose of distributing the waters of the Nile in the eastern provinces of the Delta.

But in consequence of the difficulty of drawing up an exact estimate of the work required by the "barrage," the expenditure incurred in this considerable work will exceed by 190,000*l.* the total credit of a million.

The completion of these works, and they can be finished in 1890, will render Lower Egypt secure from the dangers of an insufficient rise, and the cotton harvest, which depends entirely on easy and abundant irrigation at the time of low water, will be enabled to profit by the whole of the water of the river, of which nothing will henceforth be lost to the crops.

Thus, after many years, the realization of the grand scheme of the two eminent engineers, Linant de Bellefonds and Mougel Bey, under whose initiative and direction the "barrage" was originally constructed, will be attained.

In its present state, the services rendered by the "barrage" are incalculable. At the most critical time for the cotton crop, Lower Egypt had the benefit of sufficient irrigation, which would otherwise have been completely wanting with the very low rise of this year.

The cotton harvest amounts in value to about 9,000,000*l.* (234,000,000 fr.), and it may be said without fear of exaggeration that two-thirds of this crop would have been lost if the works carried out at the "barrage" had not resulted in the retention of the water at a high level, thus allowing of irrigation in all the cotton districts.

Other works of not less immediate utility have also been carried out.

The principal cause of the notorious deterioration of the lands, especially in the northern districts of Egypt, is the insufficiency of the drainage canals, and the bad state of those which exist; thus, in the lower portion of the Delta, an immense superficial area can no longer be cultivated except in rice-fields, and these are very soon converted into swamps by the continual deposit of waters which cannot find any issue or overflow. The experience of recent years has enabled an opinion to be formed of how easy it would be to restore to cultivation the excellent lands now for the most part unproductive, which form the "bararis" (swampy district in the extreme north of the Delta), and which border Lakes Menzaleh, Bourlos, Edkou, and Mariout.

Since 1884, numerous drainage canals have been opened in each of the provinces of Lower Egypt, but the ordinary Public Works Budget, absorbed as it is by the many charges for the current needs of the country, cannot provide for the expenditure which would be entailed by the complete carrying out of the network of drainage which, advantageous as it would be, would require 460,000*l.*

Up to the present, attention has been almost exclusively directed to Lower Egypt; the useful results which are already beginning to appear justify the efforts attempted in this direction; but they should not lead us to forget that the lands of Upper Egypt, much less favoured, are not less heavily taxed than those of Lower Egypt.

Upper Egypt can only irrigate its lands at the time of flood; this part of the country is thus exposed either to excessive inundation or to drought, dependent upon whether the waters of the Nile are too high or too low.

Each year a considerable extent of cultivable land is deprived of water and cannot be harvested, and the Treasury is obliged, even in years of ordinary flood, to grant remissions of taxation which amount annually to about 40,000*l.*; in the years of a low Nile the loss attains enormous proportions; thus, in 1878, a year when famine raged in the southern provinces, the amount of land tax uncollected amounted to 1,118,000*l.*; this year the lands unirrigated ("charaki"), and, therefore, unproductive, comprise about 350,000 feddans (148,000 hectares), which represent about 350,000*l.* of land tax absolutely lost to the Treasury.

In the immense task of safeguarding the revenues of the State, by insuring the preservation of the crops and by developing the productive power of the soil, Upper Egypt cannot any longer be neglected.

The Government is naturally anxious with reference to a situation which may have such serious results, both economically and financially; very careful investigations have been conducted with a view to discover means whereby the country may be protected from the return of similar disasters, and the conclusion has been arrived at that with the aid of a series of works enumerated below, it would be possible even in

the worst years of a low Nile to prevent the existence in any part or spot of Egypt of "charaki" (unirrigated) land.

	Masonry Work.	Earthworks.			
		New Canals.	Enlargement and Deepening of existing Canals.	Total Cost of Earthworks.	Grand Total.
	£ E.	£ E.	£ E.	£ E.	£ E.
Upper Egypt ..	203,730	273,979	250,690	524,669	728,399
Lower Egypt ..	24,300	42,940	..	42,940	67,240
Total	228,030	316,919	250,690	567,609	796,639

It is evident that the ordinary Public Works Budget cannot provide for such an undertaking, and, on the other hand, there is a pressing necessity to render the agricultural situation in Upper Egypt less precarious, and to protect it against the dangerous eventualities which periodically threaten it.

The corvée, unfortunately, cannot render much assistance in the construction of these earthworks; in Upper Egypt it is employed for the most part in cleaning out the canals and in the maintenance of the dams; by means of the corvée and the funds for its partial redemption, 5,000,000 cubic metres of soil have been annually dealt with in the two southern provinces of Girgeh and Keneh.

It would not therefore be possible to impose on the population liable to corvée a fresh burden of such dimensions; special resources are required; a credit of 500,000*l.* devoted to the execution of these works would still leave 15,000,000 cubic metres of earthwork to be executed by corvée, of which 11,000,000 would be for Girgeh and Keneh.

There are many other works besides from which, if undertaken, the country would derive great advantage. In the first place, attention should be called to the restoration of the Rayah Béhérah, a canal serving the districts below the "barrage," but which, neglected and badly kept for a long time, is now of only small service to irrigation; from the day when this canal is placed in a proper state, the elevating pumps of Atfeh and those of Katatbeh would no longer be indispensable. The annual expense of these pumps is 50,000*l.*

To attain this result and secure other advantages of the same kind, it would be necessary to dispose of a sum of 100,000*l.*

To recapitulate, the funds necessary for the completion and execution of all these works may be subdivided as follows:—

	£
Completion of "barrage," and works undertaken in connection	190,000
Outlet and drainage canals	460,000
Works in Upper Egypt	500,000
Sundry works of immediate and general utility	100,000
Total	1,250,000

Out of this sum, the expenditure for which there is immediate and pressing necessity, is:—

	£
Completion of the works at the "barrage"	190,000
Works in Upper Egypt and outlet works	500,000
Total	690,000

The works briefly enumerated above will furnish the country throughout its whole extent with a complete system of canalization, of a nature to make irrigation and drainage secure; the expenditure is therefore of an essentially reproductive character.

In a country like Egypt, where everything depends on agriculture, and where agricultural life depends entirely on a judicious distribution of the waters of the Nile, the development of the resources of the soil is intimately bound up with the improvement of the conditions of cultivation; in devoting to this work sums relatively small, when they are compared with the results to be obtained, the twofold object will be attained of increasing the national wealth and the revenues of the State.

(Signed) J. T. ORNSTEIN.

Cairo, June 7, 1889.

No. 21.

Sir E. Baring to the Marquis of Salisbury.—(Received June 27.)

My Lord, *Cairo, June 18, 1889.*

AS your Lordship is already aware, considerable difficulty has, for the last few years, been found in securing the efficient working of the system under which, in this country, the police are recruited from the army. The subject has been for some time under consideration, and a Khedivial Decree has now been issued, of which I have the honour to inclose a copy herewith, making certain modifications in the system in question. These modifications are considered satisfactory by both the Departments concerned, and it is hoped that they will put an end to the difficulties that have hitherto occurred.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 21.

Extract from the "Journal Officiel" of June 17, 1889.

Décret.

NOUS, Khédive d'Égypte,

Vu notre Décret du 9 Gamad-Akher, 1302 (26 Mars, 1885), portant réglement des recrues militaires;

Sur la proposition de notre Ministre de la Guerre et de la Marine et l'avis conforme de notre Conseil des Ministres;

Le Conseil Législatif entendu;

Décrétons:

Article 1er. L'Article 4 de notre Décret précité est modifié comme suit:

(*a.*) La durée totale du service militaire est fixée à quinze années, dont six années seront passées dans l'armée, cinq dans la police, et quatre dans la réserve.

(*b.*) Si à l'expiration des première et deuxième périodes de service, il devenait nécessaire de conserver des sous-officiers, soldats, ou artisans ayant droit à passer dans laré serve, ils recevront l'augmentation de solde prévue par les Règlements.

(*c.*) Si à l'expiration de la durée de leur service, des sous-officiers, soldats, ou artisans demandent spontanément à être maintenus au service et y sont effectivement maintenus, ils recevront également l'augmentation de solde mentionnée ci-dessus.

(*d.*) Si à l'expiration de la durée du service dans l'armée, le nombre des hommes devant passer dans la police se trouve supérieur à celui requis par cette dernière Administration, l'excédent restera dans l'armée si le Gouvernement a besoin de ses services. Dans ce cas, les hommes qui sont ainsi conservés dans l'armée après les six premières années de service auront droit à l'augmentation de solde précitée, et leur service ultérieur dans l'armée leur sera compté comme service effectif dans la police.

(*e.*) A l'expiration de la durée de son service dans la réserve, le nom du soldat sera rayé des registres de la réserve et il lui sera délivré un certificat de libération, pour être traité comme les autres citoyens.

Art. 2. Toutes autres dispositions de notre Décret sus-visé et des Décrets modificatifs subséquent sont maintenues.

Art. 3. Nos Ministres de l'Intérieur et de la Guerre et de la Marine sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais de Ras-le-Tin, le 14 Chawal, 1306 (12 Juin, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:
Le Président du Conseil des Ministres,
Ministre de l'Intérieur,
(Signé) RIAZ.
Le Ministre de la Guerre et de la Marine,
(Signé) MOUSTAPHA FEHMY.

(Translation.)

Decree.

WE, Khedive of Egypt,

With reference to our Decree of 9 Gamad-Akher, 1302 (26th March, 1885), concerning the Regulations for military recruits;

In conformity with the proposal of our Minister of War and Marine, and with the advice of our Council of Ministers;

The Legislative Council having been heard;

Decree:

Article 1. Article 4 of our aforesaid Decree is modified as follows:

(*a.*) The total length of military service is fixed at fifteen years, six of which shall be passed in the army, five in the police, and four in the reserve.

(*b.*) If at the expiration of the first and second periods of service it should be necessary to retain non-commissioned officers, soldiers, or artizans entitled to pass into the reserve, they shall receive the increase of pay provided for in the Regulations.

(*c.*) If, at the expiration of their term of service, non-commissioned officers, soldiers, or artizans spontaneously ask to be retained in the service and are so retained, they shall also receive the aforesaid increase of pay.

(*d.*) If, at the expiration of the term of service in the army, the number of men who should pass into the police is beyond what is required by the latter Administration, the surplus men shall remain in the army, if the Government require their services. In this case, the men who are thus retained in the army after the first six years of service shall be entitled to the aforesaid increase of pay, and their later service in the army shall be reckoned as effective service in the police.

(*e.*) At the expiration of the term of service in the reserve, the soldier's name shall be removed from the registers of the reserve, and he shall be furnished with a certificate of liberation, entitling him to be treated like other citizens.

Art. 2. All the other provisions of our aforesaid and subsequent Decrees remain in force.

Art. 3. Our Ministers of the Interior, of War, and of Marine are severally, in their respective spheres, charged with the execution of this present Decree.

Palace of Ras-le-Tin, the 14 Chawal, 1306 (12th June, 1889).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

The President of the Council of Ministers,
Minister of the Interior,
(Signed) RIAZ.

The Minister of War and Marine,
(Signed) MOUSTAPHA FEHMY.

No. 22.

Sir E. Baring to the Marquis of Salisbury.—(Received June 27.)

My Lord, *Cairo, June 18, 1889.*

I HAVE the honour to transmit herewith a Khedivial Decree issued in place of the Decree of the 2nd April, 1888, relative to the partial suppression of the corvée. The new Decree has now received the assent of the Powers concerned.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 22.

Extract from the "Journal Officiel" of June 17, 1889.

Décret.

NOUS, Khédive d'Égypte,

Considérant qu'il importe à la prospérité agricole de l'Égypte que la charge de la corvée soit réduite dans les plus strictes limites;

Considérant qu'il y a lieu, en même temps, de ne plus laisser aucune recette et aucune dépense hors Budget et qu'en conséquence notre Gouvernement devra notamment faire figurer dans les rentrées budgétaires, à partir de 1887, les produits du

rachat des prestations, ainsi que toutes les recettes, de quelque nature qu'elles soient, qui pourraient être créées à l'avenir, et devra porter leur emploi en dépenses ;

Sur la proposition de notre Conseil des Ministres ;

Avons décrété et décrétons, avec l'assentiment des Puissances :

Article 1er. A partir de 1887, la somme de £ E. 5,237,000, à laquelle ont été arrêtées les dépenses administratives annuelles du Gouvernement, aux termes de l'Article 18 de notre Décret du 27 Juillet, 1885, pourra être augmentée dans les conditions ci-après déterminées :—

1. Du produit du rachat des prestations effectué dans le cours de l'année précédente, conformément à notre Décret du 25 Janvier, 1881.

2. D'une somme de £ E. 250,000.

Ces crédits devront être exclusivement affectés à des travaux actuellement faits au moyen de la corvée, ou à des travaux d'art ou de maçonnerie devant avoir pour conséquence une réduction de la corvée.

Ces augmentations devront élever d'une somme égale dans les Budgets ultérieurs les crédits ouverts par le Budget de 1887 au Ministère des Travaux Publics.

Art. 2. La Caisse de la Dette aura le droit de vérifier l'emploi régulier de tous les crédits ouverts au Ministère des Travaux Publics.

En ce qui concerne les crédits du Budget ordinaire des travaux publics, crédits évalués à £ E. 464,623, la preuve de leur emploi régulier résultera pour la Caisse de la Dette de la production d'un État dressé par chapitres et sous-chapitres par le Ministère des Finances, et constatant que les crédits ont été intégralement consacrés au paiement de dépenses de travaux publics.

Pour les crédits venant en augmentation de la somme de £ E. 5,237,000, c'est-à-dire pour le crédit de £ E. 250,000 et pour celui qui sera ouvert dans la limite du produit du rachat des prestations, leur emploi régulier sera prouvé par la production à la Caisse de la Dette des pièces comptables justifiant les dépenses qui auront été faites.

Art. 3. Si les crédits du Budget ordinaire des travaux publics venaient à être inférieurs à £ E. 464,623, ou si cette somme n'était pas intégralement dépensée, l'augmentation des dépenses administratives autorisée par le présent Décret serait réduite d'une somme égale soit à la diminution des crédits, soit au montant des crédits non employés.

Art. 4. L'emploi et la répartition entre les diverses Moudiriehs de la somme ci-dessus énoncée de £ E. 250,000, seront déterminés chaque année par Décret. La répartition en sera faite équitablement entre toutes les provinces affectées ou non affectées, la Commission de la Dette préalablement consultée.

Si, au cours de l'année, la nécessité de travaux imprévus venait à se produire, une nouvelle répartition pourra être faite par le Ministère des Travaux Publics qui en avisera la Caisse de la Dette. Notre Ministre des Travaux Publics nous adressera, à la fin de chaque année, un Rapport qui sera publié dans le "Journal Officiel," et dans lequel il nous rendra compte du nombre des journées de corvée qui auront été réellement demandées à la population, et des réductions dont il aura pu lui procurer le bénéfice sur la moyenne qui lui avait été imposée dans les quatre dernières années, d'après l'État publié par le "Journal Officiel" du 30 Juin, 1886.

Les réductions obtenues par les travaux d'art ou de maçonnerie mentionnées à l'Article 1er, soit dans l'année de leur exécution, soit dans les années subséquentes, seront indiquées séparément pour chaque travail, dans le dit Rapport.

Art. 5. Les dépenses administratives autorisées par le Décret du 27 Juillet, 1885, pourront également être augmentées des sommes nécessaires à l'exploitation des mines de pétrole, sans toutefois que cette augmentation puisse dépasser la somme de £ E. 40,000 en 1887, et, dans les années ultérieures, le produit de l'exploitation de ces mines.

Art. 6. Nos Ministres des Finances et des Travaux Publics sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 14 Juin, 1889 (16 Chawal, 1306).

(Signé) MEHEMET TEWFIK.

Par le Khédive :

Le Président du Conseil des Ministres :

Ministre des Finances,

(Signé) RIAZ.

Le Ministre des Travaux Publics,

(Signé) MOHAMED ZÉKI.

(Translation.)

Decree.

WE, Khedive of Egypt,

Considering that it is of great importance to the agricultural prosperity of Egypt that the charges in connection with the abolition of the corvée should be reduced to the narrowest limits;

Whereas it is necessary at the same time not to leave any receipts or expenditure outside the Budget, and that, in consequence, our Government will be bound specially to insert on the credit side of the Budget, from 1887 onwards, the produce of the exemption from forced labour, as well as all revenues of whatever nature which may be created in the future, and to debit the Budget with the amount of such sums as may be spent;

On the proposition of our Council of Ministers;

We have decreed, and do decree, with the assent of the Powers;

Article 1. From 1887 onwards the sum of £ E. 5,237,000, at which the administrative expenses of the Government have been fixed by the terms of Article 18 of our Decree of the 27th July, 1885, may be increased under the following conditions:—

1. By the sum produced by the exemptions from forced labour during the course of the preceding year, according to our Decree of the 25th January, 1881.

2. By a sum of £ E. 250,000.

These credits must be exclusively devoted to the works now executed by means of the corvée, or to works of skill or masonry which will result in a diminution of the corvée.

These augmentations should raise by an equal sum in the revised Budget the credits opened by the Budget of 1887 at the Ministry of Public Works.

Art. 2. The Commission of the Debt shall have the right of verifying the regular employment of all the credits opened at the Ministry of Public Works.

As regards the credits of the ordinary public works Budget, estimated at £ E. 464,623, the Commission of the Debt shall verify their regular employment by means of a Report, drawn up in chapters and sub-heads, by the Ministry of Finance, establishing that the credits have been wholly devoted to the payment of expenses connected with public works.

As regards the credits, in addition to the sum of £ E. 5,237,000, that is to say, the credit of £ E. 250,000, and that which will be opened by the produce of the payments in lieu of forced labour, their regular employment shall be proved by the production before the Commission of the Debt of the vouchers for the expenses incurred.

Art. 3. If the credits of the ordinary public works Budget should not amount to £ E. 464,623, or if that sum should not be entirely expended, the increase of administrative expenses authorized by the present Decree shall be reduced by a sum equal either to the diminution in value of the credits, or to the amount of the unemployed credits.

Art. 4. The expenditure and the distribution among the different Mudiriehs of the above-mentioned sum of £ E. 250,000 shall be determined every year by Decree. The distribution shall be made equitably between all the provinces, whether assigned or non-assigned, after previous consultation with the Commission of the Debt.

If, in the course of the year, the necessity for unexpected works should arise, a new distribution may be made by the Ministry of Public Works, who will inform the Commission of the Debt. Our Minister of Public Works will address to us at the end of each year a Report, which shall be published in the "Journal Officiel," and in which he will report the number of days of forced labour actually required from the population, and the reductions which he may have been able to grant on the average of what has been exacted during the last four years, according to the statement published in the "Journal Officiel" of the 30th June, 1886.

The reductions effected through skilled labour or by masonry, mentioned in Article 1, either during the year of execution or in subsequent years, shall be shown separately for each work in the said Report.

Art. 5. The administrative expenditure authorized by the Decree of the 27th July, 1885, may also be increased by the sums necessary for the working of the petroleum springs, though that increase must not be greater than £ E. 40,000 in 1887, and in subsequent years must not exceed the amount produced by the working of such springs.

Art. 6. Our Ministers of Finance and of Public Works are charged with the carrying out of this Decree, each as far as it concerns him.

Done at the Palace of Ras-el-Tin, the 14th June, 1889 (16th Chawal, 1306).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

The President of the Council of Ministers,
Minister of Finance,
(Signed) Riaz.

The Minister of Public Works,
(Signed) Mohamed Zéki.

No. 23.

Sir E. Baring to the Marquis of Salisbury.—(Received June 27.)

My Lord, *Cairo, June* 18, 1889.

I HAVE the honour to transmit herewith a Khedivial Decree associating the Mudirs and provincial officials with the preliminary investigation of Crimes. Many of the English officials in this country were very much in favour of some such measure six years ago, but at the time their views met with strong opposition. The present Decree settles the question in the sense that they then desired.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 23.

Extract from the "Journal Officiel" of June 17, 1889.

Décret.

NOUS, Khédive d'Égypte,

Vu le Code d'Instruction Criminelle pour les Tribunaux Indigènes;

Sur la proposition de notre Ministre de la Justice, et l'avis conforme de notre Conseil des Ministres;

Le Conseil Législatif entendu:

Décrétons:

Article 1^er^. Les Gouverneurs, Moudirs, Sous-Gouverneurs, et Wékils des Moudiriehs, sont autorisés à procéder eux-mêmes à l'instruction des actes criminels qui auront lieu dans leur circonscription respective, à recueillir tous les éclaircissements tendant à prouver ces actes, et à déférer les prévenus au Parquet.

Art. 2. Les Gouverneurs, Moudirs, Sous-Gouverneurs, et Wékils des Moudiriehs, ne seront pas dessaisis de l'instruction criminelle à laquelle ils auront procédé avant qu'elle n'ait été achevée.

Ils auront la faculté de demander au Parquet d'envoyer un de ses membres pour assister avec eux à l'instruction.

Art. 3. Nos Ministres de l'Intérieur et de la Justice sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 14 Chawal, 1306 (12 Juin, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:

Le Président du Conseil des Ministres,
Ministre de l'Intérieur,
(Signé) Riaz.

Le Ministre de la Justice,
(Signé) H. Fakhry.

(Translation.)

Decree.

WE, Khedive of Egypt,

With reference to the Code of Criminal Instruction for the Native Tribunals;

At the instance of our Minister of Justice, and on the advice of our Council of Ministers in conformity therewith;

The Legislative Council having been consulted;

Decree:

Article 1. The Governors, Mudirs, Sub-Governors, and Vakeels of the Mudiriehs are authorized to proceed themselves with the investigation of criminal acts which are committed in their respective districts, to collect all information tending to prove these acts, and to refer the parties arrested to the "Parquet."

Art. 2. The Governors, Mudirs, Sub-Governors, and Vakeels of the Mudiriehs will not be relieved of such criminal investigation commenced by them until it has been completed.

They shall have power to ask the "Parquet" to send one of its members to be present with them at the investigation.

Art. 3. Our Ministers of the Interior and Justice are intrusted, each in so far as he is concerned, with the execution of the present Decree.

Done at the Palace of Ras-el-Tin, the 14th Chawal, 1306 (12th June, 1889).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

The President of the Council of Ministers,
Minister of the Interior,
(Signed) RIAZ.

The Minister of Justice,
(Signed) H. FAKHRY.

No. 24.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, June* 27, 1889.

I HAVE received your despatch of the 9th instant, transmitting copy of a Khedivial Order pardoning Sheikh Mohammed Abdou, who had been exiled for participation in the Arabist movement of 1882; and I have to state that I concur in the views expressed in your despatch on the subject.

I am, &c.
(Signed) SALISBURY.

No. 25.

Sir E. Baring to the Marquis of Salisbury.—(Received July 6.)

My Lord, *Cairo, June* 27, 1889.

IN former years, as your Lordship is doubtless aware, most of the principal countries having important interests in Egypt possessed their own special post-offices. The continuance of this state of affairs was obviously undesirable as soon as the Egyptian Post Office was in a position to work satisfactorily, and in recent years every country had given up this privilege with the exception of Austria and France.

Saba Pasha has lately been engaged in negotiations at Vienna on the subject, and the Austrian Government have now agreed to relinquish their post-office in Egypt. The only post-office now left is the French, but I fear there is no immediate prospect of the French Government consenting to its abolition.

I have, &c.
(Signed) E. BARING.

No. 26.

Sir E. Baring to the Marquis of Salisbury.—(Received July 6.)

My Lord, *Cairo, June* 28, 1889.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 5th instant.*

Colonel Kitchener is at present absent from Egypt. Sir Francis Grenfell is about

* Inclosing copy of No. 15.

to leave Cairo for Upper Egypt. His time is very fully occupied with the preparations necessary to repel the attack on the southern frontier, which seems to be impending. I have not, therefore, thought it necessary to ask for his observations on the letter from Major Watson, inclosed in your Lordship's despatch under reply. Neither indeed, does it appear to me to be necessary to enter into any lengthy discussion about events which now possess a merely historical interest.

I may say, however, that I have read Major Watson's remarks with attention, and I see nothing in them to modify the views which I have expressed in former despatches. There does not appear to me to be any substantial difference between the policy pursued by Major Watson at Suakin, and that subsequently continued by Colonel Kitchener. It was not indeed the duty of either of these officers to adopt an independent policy of their own. They followed the general lines of conduct laid down to them by their superior authorities at Cairo. Such differences as arose in the execution of the policy prescribed for them were merely matters of detail, and such as the altered circumstances of the local situation rendered necessary.

I have, &c.

(Signed) E. BARING.

No. 27.

Mr. Clarke to the Marquis of Salisbury.—(Received July 13.)

(Extract.) *Cairo, July* 4, 1889.

I HAVE the honour to transmit herewith to your Lordship the decision, as published in the "Journal Officiel" of the 1st instant, of the High Court of Discipline, in the matter of the charges brought against Ibrahim Pasha Tewfik, the Governor of the Suez Canal. Your Lordship will see that the Court has sentenced Ibrahim Pasha Tewfik to dismissal from the Service, but that his right to a pension has not been forfeited.

This sentence is generally considered as being far too lenient, and I believe that Riaz Pasha himself has expressed considerable dissatisfaction with the decision of the Court.

There is some question of the case being brought before the Tribunals, and I shall not fail to inform your Lordship of what takes place.

I have also the honour to inclose herewith copy of a Khedivial Decree appointing Ibrahim Pasha Rouchdy Governor-General of the Suez Canal in the place of Ibrahim Pasha Tewfik.

Inclosure 1 in No. 27.

Extract from the "Journal Officiel" of July 1, 1889.

HAUTE COUR DE DISCIPLINE.

LA Haute Cour de Discipline, réunie au Ministère de la Justice, au Caire, dans les séances des 3, 16, 17, 18, 19, et 21 Juin, 1889, sur la convocation et sous la présidence de son Excellence Fakhry Pacha, Ministre de Justice;

Présents en outre:

Kahil Pacha, Secrétaire de la Présidence du Conseil des Ministres, remplaçant le Sous-Secrétaire d'État au Ministère de l'Intérieur, empêché;

Blum Pacha, Sous-Secrétaire d'État au Ministère des Finances;

Tigrane Pacha, Sous-Secrétaire d'État au Ministère des Affaires Étrangères;

Sir Colin Scott Moncrieff, Sous-Secrétaire d'État au Ministère des Travaux Publics;

Mohamed Hamdy Pacha, Directeur Général des Wakfs;

M. Charles de Rocassera, Conseiller Khédivial, désigné par le Conseil des Ministres;

Abdul Hamid Sadeck Pacha, Président de la Cour d'Appel indigène du Caire;

Aly Effendi Fakry, substitut du Procureur Général près le Tribunal indigène de Mansourah, remplaçant M. le Procureur-Général près les Tribunaux indigènes, empêché;

MM. Boniteau et Ahmed Effendi Fathy, faisant fonctions de Secrétaires de la Haute Cour ;

Vu la lettre de son Excellence le Ministre de l'Intérieur en date du 27 Mai, 1889, transmettant un Rapport de la Commission d'Enquête, tenant lieu de la requête motivée prévue par l'Article 5 du Décret du 24 Décembre, 1888, et en vertu de laquelle la Haute Cour est saisie d'une action disciplinaire contre Ibrahim Tewfick Pacha, Gouverneur-Général du Canal de Suez ;

Vu la notification faite à la date du 29 Mai, 1889, à Ibrahim Tewfick Pacha des dits lettre et rapport, conformément à l'Article 6 du Décret sus-mentionné ;

Vu les pièces et document des dossiers de l'enquête dont communication a été fait au dit Ibrahim Tewfick Pacha ;

Vu le mémoire en défense par lui présenté le 16 Juin, 1889, et après l'avoir entendu en ses réponses et justifications ;

A relevé notamment que Ibrahim Tewfick Pacha est accusé :

1er. D'avoir retiré de l'Anglo-Égyptian Bank, à Port-Saïd, une somme de 15,000 fr., reliquat du fonds de souscription au profit des sinistrés de Port Saïd, à la suite de l'incendie du 24 Avril, 1884 ;

2. D'avoir fait une fausse déclaration à la Douane, à l'occasion de l'introduction d'un candélabre en argent ;

3. D'avoir reçu diverses sommes tant pour la nomination que pour la réintégration des chefs d'équipe charbonniers, ainsi que d'avoir fait opérer, pour son compte, des prélèvements sur le salaire des charbonniers.

Sur le premier grief :

Considérant qu'à la suite de l'incendie du 24 Avril, 1884, qui avait détruit une grande partie du village Arabe de Port-Saïd, il avait été ouvert une souscription au profit des sinistrés ;

Que les sommes provenant de ces souscriptions devaient être distribuées par un comite de secours présidé par le Gouverneur-Général du Canal ;

Que ce comité avait décidé, dans sa séance du 31 Août, 1886, que le reliquat, s'élevant à 15,000 fr. et déposé à l'*Anglo-Egyptian Bank* à Port-Saïd, serait affecté à la construction d'un caravanserai dans cette ville ;

Qu'à la fin de l'année 1888 et au commencement de l'année 1889, Ibrahim Tewfick Pacha a retiré cette somme de l'*Anglo-Egyptian Bank ;*

Qu'interpellé par la Commission d'enquête, Ibrahim Tewfick Pacha a déclaré que cette somme avait été retirée par lui pour empêcher qu'elle ne fût distraite de sa destination première et qu'elle se trouvait déposée chez lui à Port-Saïd ;

Que, sur une dépêche par lui expédiée du Caire à Port-Saïd le 3 Mai, 1889, à la demande de la Commission d'Enquête, cette somme a été effectivement versé au Gouvernorat le 4 Mai, 1889 ;

Que le fait d'avoir retiré et gardé par devers lui cette somme pendant plusieurs mois, ce qui laisse croire qu'il a pu s'en servir, constitue une faute ou tout au moins une irrégularité grave.

Sur le second grief :

Considérant qu'à la date du 4 Mars, 1889, Ibrahim Tewfick Pacha écrivait à la Direction de la Douane de Port-Saïd qu'il avait envoyé en Angleterre, un mois et demi avant, un candélabre en argent pour le faire réparer, que ce candélabre étant arrivé, il demandait de la faire passer en franchise ou de lui faire connaître ce qu'il avait à payer pour droits de douane ;

Que sur cette affirmation du Gouverneur-Général la Direction de la Douane donna ordre de laisser passer en franchise ;

Que, quelque temps après cependant, elle apprenait qu'il s'agissait non d'un candélabre réparé, mais d'un candélabre neuf, d'une valeur de 200 livres environ, envoyé au Gouverneur-Général à titre de cadeau par M. Lichtenberg de Liverpool ;

Que ce fait, confirme par la déclaration écrite de M. Lichtenberg fils, établi à Port-Saïd, reconnu d'ailleurs par Ibrahim Tewfick Pacha, constitue une faute très grave.

Sur le troisième grief :

Considérant qu'il est allégué que, sauf de rares exceptions, aucun chef d'équipe charbonnier n'était nommé s'il ne payait, au préalable, pour compte du Gouverneur-Général, entre les mains de Ahmed Osman el-Bayoumi, chef d'équipe de charbonniers déchargeurs, de Mohamed Karchoum, cheik supérieur de la corporation des charbon-

niers, ou de Hassan Effendi Saleh, premier maoun du Gouverneur-Général du Canal, une somme variant entre 15 et 40 livres;

Que, de même, tout chef d'équipe suspendu ou révoqué devait, pour obtenir sa réintégration, payer aux mêmes individus une somme variant entre 20 et 40 livres;

Qu'également, des sommes analogues étaient démandées et obtenues d'autres chefs d'équipe, pour être maintenus en fonctions;

Que ces faits sont attestés par les dépositions écrites et cachetées de la grande majorité des chefs d'équipe et d'autres témoins;

Qu'Ahmed Osman el-Bayoumi et Mohamed Karchoum reconnaissent avoir reçu ces sommes et affirment en avoir fait remise à Ibrahim Tewfik Pacha;

Qu'il est allégué également que Mohamed Karchoum, en sa qualité de cheik supérieur des charbonniers, prélevait, pour compte du Gouverneur-Général, une somme de 121 fr. par chaque bateau de charbon débarqué à Port-Saïd, soit 60 fr. 50 c. par équipe de déchargeurs;

Que ces faits sont attestés par les dépositions écrites et cachetées de la presque totalité des chefs d'équipe et d'autres témoins;

Que la remise des sommes au Gouverneur-Général se serait opérée tantôt directement par Karchoum, tantôt par la création de traites signées par les dits Karchoum et Bayoumi et d'autres chefs d'équipe et portant l'aval du Gouverneur-Général; ces traites étaient escomptées à la Banque Ottomane à Port-Saïd; le montant en était remis au Gouverneur-Général, et la banque était ensuite désintéressée par Karchoum au moyen des prélèvements de 121 fr. ci-dessus mentionnés;

Qu'Ibrahim Tewfick Pacha, interrogé, a reconnu l'existence de ces traites et qu'il a expliqué le "bon pour aval" par lui donné comme une simple garantie morale destinée uniquement à permettre à ses administrés d'obtenir de la Banque Ottomane des avances à un taux d'intérêt raisonnable et de les soutraire ainsi aux exigences des usuriers, ce qu'il a fait d'ailleurs pour d'autres personnes, tant Européennes qu'indigènes;

Qu'il a produit, à l'appui, une déclaration écrite de M. Hicks, Directeur de la Banque Ottomane de Port-Saïd, reproduisant ces mêmes explications;

Que le fait des sommes exigées et des prélèvements opérés par Ahmed Osman el-Bayoumi et Mohamed Karchoum paraît constant, mais qu'il n'est pas prouvé que les dites sommes aient été en tout ou en partie remises au Gouverneur-Général;

Considérant que le règlement des charbonniers du 1er Moharrem, 1300 (12 Novembre, 1882), dispose que le nombre des chefs d'équipe sera réduit à seize et que les nominations se feront à l'élection;

Qu'au mépris de ce règlement Ibrahim Tewfick Pacha a augmenté le nombre des chefs d'équipe et a procédé directement à leur nomination ou réintégration, sans avoir recours à l'élection;

Que si ce règlement lui paraissait inapplicable, ainsi qu'il l'affirme, il aurait dû en demander la modification;

Que ce fait constitue une irrégularité grave;

Qu'Ibrahim Tewfick Pacha ne pouvait ignorer que les charbonniers se plaignaient d'être victimes d'extorsions de la part de Mohamed Karchoum et d'Ahmed Osman el-Bayoumi;

Que, notamment, le nommé Omar el-Chamour lui a adressé une lettre chargée pour demander de le nommer chef d'équipe ou de lui faire restituer une somme de 30 livres par lui payée à Bayoumi pour obtenir sa nomination;

Qu'en présence d'une accusation aussi précise le souci de sa propre dignité, ainsi que de sa situation, faisait au Gouverneur-Général un devoir de faire une enquête et de saisir l'autorité judiciaire;

Que l'intervention de la justice, soit qu'elle eût puni sévèrement les coupables, si ces faits étaient établis, soit qu'elle eût frappé les calomniateurs, si les accusations étaient reconnues fausses, aurait eu pour effet de mettre un terme aux agissements délictueux de Bayoumi et de Karchoum ou aux accusations dont ils étaient l'objet;

Que la violation du règlement, l'inaction du Gouverneur-Général et son intervention répétée auprès de la Banque Ottomane en faveur d'individus qu'il déclare lui-même peu recommandables et auxquels précisément sont imputés les prélèvements délictueux, en autorisant tous les soupçons, ont eu pour effet de permettre et, en quelque sorte, de faciliter les extorsions dont ses administrés étaient victimes;

Qu'il a commis ainsi une faute excessivement grave;

Qu'il semble inutile à la Haute Cour d'entrer dans l'examen des autres griefs

articulés dans le Rapport de la Commission d'Enquête, cet examen ne lui paraissant pas de nature à modifier sa décision ;

Par ces motifs :

Après en avoir délibéré conformément à la loi,

Prononce, à la majorité exigée par l'Article 9 du Décret sus-visé du 24 Decembre, 1888, la révocation d'Ibrahim Tewfick Pacha, en lui conservant ses droits à la pension ou à l'indemnité.

Fait et signé, en l'Hôtel du Ministère de la Justice, par tous les Membres de la Haute Cour, le 21 Juin, 1889.

(Translation.)

HIGH CRIMINAL COURT.

THE High Criminal Court, assembled at the Ministry of Justice, Cairo, in the sessions of the 3rd, 16th, 17th, 18th, 19th, and 21st June, 1889, convoked by his Excellency Fakhry Pasha, Minister of Justice, and presided over by him ;

Present besides :

Kahil Pasha, Secretary to the President of the Ministry, in the place of the Under-Secretary of State for the Interior, who was prevented from attending ;

Blum Pasha, Under-Secretary of State for Finance ;

Tigrane Pasha, Under-Secretary of State for Foreign Affairs ;

Sir Colin Scott Moncrieff, Under-Secretary of State for Public Works ;

Mohamed Hamdy Pasha, Director-General of the Wakfs ;

M. Charles de Rocassera, Khedivial Councillor, nominated by the Council of Ministers ;

Abdul Hamid Sadeck Pasha, President of the Cairo native Court of Appeal ;

Ali Effendi Fakry, Acting "Procureur-Général" to the native Tribunal of Mansourah, in the place of the "Procureur-Général" to the native Tribunals, prevented from attending ;

MM. Boniteau and Ahmed Effendi Fathy, Acting Secretaries to the Supreme Court.

With reference to the letter of his Excellency the Minister of the Interior, dated the 27th May, 1889, transmitting a Report of the Commission of Inquiry, in the place of the necessary Petition required by Article 5 of the Decree of the 24th December, 1888, and in virtue of which the Supreme Court is seized with a penal action against Ibrahim Tewfick Pasha, Governor-General of the Suez Canal ;

With reference to the notification given on the 29th May, 1889, to Ibrahim Tewfick Pasha of the letter and Report in question, in accordance with Article 6 of the above-mentioned Decree ;

With reference to the papers and "dossiers" of the inquiry which had been communicated to the above-mentioned Ibrahim Tewfick Pasha ;

With reference to the Memorial presented by him in his defence on the 16th June, 1889, and after having heard his answers and pleas from his own mouth ;

Has specially noted that Ibrahim Tewfick Pasha is accused :

1. Of having drawn from the Anglo-Egyptian Bank at Port Saïd a sum of 15,000 fr., the balance of the fund subscribed to assist those who had suffered in the fire at Port Saïd on the 24th April, 1884 ;

2. Of having made a false declaration to the Customs when importing a silver chandelier ;

3. Of having received divers sums both for nominating four men to the coal-porters' gangs, and for reinstating them ; also of having appropriated moneys from the wages of the coal-porters.

As regards the first charge :

Whereas in consequence of the fire on the 24th April, 1884, which destroyed a great part of the Arab village of Port Saïd, a subscription was opened for the relief of the sufferers ;

That the sums accruing from these subscriptions were to be distributed by a Committee, presided over by the Governor-General of the Canal ;

That this Committee had decided, at its meeting of the 31st August, 1886, that the surplus, amounting to 15,000 fr., placed in the *Anglo-Egyptian Bank* at Port Saïd, should be applied to building a caravanserai in that town;

That at the end of the year 1888 and at the beginning of the year 1889, Ibrahim Tewfick Pasha withdrew this sum from the *Anglo-Egyptian Bank;*

That, questioned by the Commission of Inquiry, Ibrahim Tewfick Pasha declared that this sum had been withdrawn by him to prevent its being misapplied, and that it was now lying in his house at Port Saïd;

That on a telegram being sent by him from Cairo to Port Saïd on the 3rd May, 1889, at the request of the Commission of Inquiry, this sum was effectively paid over to the Governorship on the 4th May, 1889;

That the fact of his having drawn this sum and kept it by him during several months, while it gives colour to the belief that he may have made use of it, constitutes a misdemeanour, or at least a serious irregularity.

As to the second charge:

Whereas that on the 4th March, 1889, Ibrahim Tewfick Pasha wrote to the Custom-house authorities of Port Saïd that he had sent a silver chandelier to England a month and a-half ago, to be repaired; that this chandelier having arrived, he asked for its free entry, or that he should be informed what duty he had to pay;

That upon this declaration the Governor-General of the Customs ordered that it should be admitted duty free;

That subsequently the Chief of the Customs learnt that the chandelier had not been repaired, but that it was new, worth about 200*l.*, and had been sent as a present to the Governor-General by M. Lichtenberg, of Liverpool;

That this fact, confirmed by the written declaration of M. Lichtenberg, junior, resident at Port Saïd, and moreover admitted by Ibrahim Tewfick Pasha, constitutes a very serious offence.

As regards the third charge:

Whereas, it is alleged that with rare exceptions no foreman of coal-porters was appointed unless he previously paid into the hands of Ahmed Osman el-Bayoumi, foreman of the porters who unloaded the coal, or of Mohamed Karchoum, Head Sheikh of the Corporation of Coal-porters, or of Hassan Effendi Saleh, first maoun of the Governor-General of the Canal, a sum varying from 15*l.* to 20*l.* to the account of the Governor-General;

That, similarly, every foreman suspended or dismissed was compelled to pay to the same persons a sum varying from 20*l.* to 40*l.* to obtain his reinstatement;

That, similarly, similar sums were asked for and obtained from other foremen that they might be kept in employ;

That these facts are attested by depositions signed and sealed by the great majority of the foremen and other witnesses;

That Osman el-Bayoumi and Mohamed Karchoum acknowledge having received these sums, and handed them over to Ibrahim Tewfick Pasha;

That it is also alleged that Mohamed Karchoum, raised as chief Sheikh of the coal-porters, but, on account of the Governor-General, a sum of 121 fr. on every boat-load of coal unloaded at Port Saïd, that is to say, 60 fr. 50 c. on every gang of porters;

That these facts are attested by depositions signed and sealed by nearly all the foremen and other witnesses;

That the payment of these sums to the Governor-General had taken place sometimes directly through Karchoum, sometimes by bills signed by the above-mentioned Karchoum and Bayoumi and other foremen, and indorsed by the Governor-General; that these bills were discounted at the Ottoman Bank at Port Saïd; that the amount was handed over to the Governor-General, and that the bank was afterwards indemnified by Karchoum, by means of the previous deductions of sums of 121 fr., as mentioned above;

That Ibrahim Tewfick Pasha, when questioned, recognized the existence of these bills, and explained the "good for indorsement" given by him to be a mere moral guarantee, simply meant to allow his subordinates to obtain from the Ottoman Bank advances at a reasonable rate of interest, thus relieving them from the necessity of applying to money-lenders, and said that he had done the same for other people, both Europeans and natives;

That, in support of these statements, he produced a declaration written by M. Hicks, Director of the Ottoman Bank at Port Saïd, reproducing these same explanations;

That the fact that the sums were exacted, and deductions made from the wages by Ahmed Osman el-Bayoumi and Mohamed Karchoum, seems indisputable, but that it is not proved that the above-mentioned sums were entirely or partially paid over to the Governor-General;

Whereas the regulations of the coal-porters of the 1st Moharrem, 1300 (12th November, 1882), provide that the number of the foremen of the gangs shall be reduced to sixteen, and that the appointments shall be by election;

That, in despite of these regulations, Ibrahim Tewfick Pasha has increased the number of the foremen, and has directly nominated or reinstated them without having recourse to election;

That if these regulations appeared to him unworkable, as he affirms, he should have demanded their modification;

That this constitutes a serious irregularity;

That Ibrahim Tewfick Pasha must have been aware that the coal-porters complained of being victims of extortions at the hands of Mohamed Karchoum and Ahmed Osman el-Bayoumi;

That, to cite a case in point, one Omar el-Chamour sent him a registered letter asking him to appoint him foreman of a gang, or to return to him a sum of 30*l.* paid by him to Bayoumi to obtain his nomination;

That, in the face of so precise an accusation, the Governor-General was bound, both out of respect for his own dignity and that of the position he held, to institute an inquiry and to apprise the judicial authorities;

That the intervention of justice, either by severely punishing the guilty, if these facts were proved, or, on the other hand, by punishing the libellers if the accusations were proved to be false, would have had the effect of putting a stop to the criminal proceedings of Bayoumi and of Karchoum, or to the accusations concerning them, as the case might be;

That the violation of the regulations, the inactivity of the Governor-General, and his repeated intervention with the Ottoman Bank in favour of persons whom he himself holds in light estimation, and to whom the criminal obstructions are actually imputed, while giving substance to every suspicion, have had the effect of allowing, and to some extent of facilitating, the extortions of which his subordinates were the victims;

That he has thus committed a very serious offence;

That it seems useless for the High Court to investigate the other charges enumerated in the Report of the Commission of Inquiry, since such an investigation would not, in the Judgment of the Court, lead them to modify their decision;

Wherefore:

After having discussed the matter according to law,

The Court, by the majority required by Article 9 of the above-mentioned Decree of the 24th December, decrees the revocation of Ibrahim Tewfick Pasha, without depriving him of his rights to a pension or an indemnity.

Done and signed at the Ministry of Justice, by all the members of the High Court, this 21st June, 1889.

Inclosure 2 in No. 27.

Extract from the "Journal Officiel" of July 1, 1889.

Décret.

NOUS, Khédive d'Égypte,

Sur la propositiou de notre Ministre de l'Intérieur et l'avis conforme de notre Conseil des Ministres;

Décrétons:

Article 1^er^. Ibrahim Rouchdy Pacha, Président de la Cour d'Appel Mixte, est nommé Gouverneur-Général du Canal de Suez, en remplacement d'Ibrahim Tewfik

Pacha, révoqué par décision de la Haute Cour de Discipline, qui a reçu notre approbation.

Art. 2. Notre Ministre de l'Intérieur est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 1er Zilkadé, 1306 (29 Juin, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre de l'Intérieur,
(Signé) RIAZ.

(Translation.)

Decree.

WE, Khedive of Egypt,

In accordance with the proposal of our Minister of the Interior, and in conformity with the advice of our Council of Ministers;

Decree :

Article 1. Ibrahim Rouchdy Pasha, President of the Mixed Court of Appeal, is named Governor-General of the Suez Canal in the place of Ibrahim Tewfik Pasha, removed by a decision of the Supreme Criminal Court, which decision has received our approval.

Art. 2. Our Minister of the Interior is charged with the execution of the present Decree.

Given at the Palace of Ras-el-Tin, the 1st Zilkadé, 1306 (29th June, 1889).

(Signed) MÉHÉMET TEWFIK.

By the Khedive :
The President of the Council of Ministers,
Minister of the Interior,
(Signed) RIAZ.

No. 28.

The Marquis of Salisbury to Mr. Clarke.—(*Substance telegraphed.*)

Sir, *Foreign Office, August* 2, 1889.

I HAVE had under my consideration the proposal of the authorities at Suakin to accept the offer of Sheikh Abdul Kader, of the Hamdab section of the Hadendowas, to collect forces and to take and hold Tokar for Egypt in return for money and arms.

Her Majesty's Government entertain considerable doubts as to the wisdom of this policy, which has already been tried without success, in connection with the Amarars, and I shall be glad to learn from you whether Sir Francis Grenfell, who appears to have been consulted on the subject, has been placed in full possession of all the facts of the case, and whether he agrees in the new departure proposed by the authorities at Suakin.

I am, &c.
(Signed) SALISBURY.

No. 29.

Mr. Clarke to the Marquis of Salisbury.—(*Received August* 10.)

My Lord, *Cairo, July* 31, 1889.

I HAVE the honour to state that according to the annual Report addressed by M. Boinet to the Minister of Finance on the subject of the cultivation of cotton in Egypt, the area of land devoted this year to the cultivation of cotton is 168,421 feddans less than that in 1888.

The total yield of the cotton crop of last year did not equal that of the year 1887. This M. Boinet attributes partly to the unusual coolness of the temperature in the months of August and September last, and partly to over-cultivation.

This year's crop promises on the whole to be a fine one.

M. Boinet notes, in conclusion, that the number of villages which have, within

the last three years, taken up the cultivation of cotton, has increased by 241. This increase has occurred principally in Upper Egypt.

I have, &c.
(Signed) F. S. CLARKE.

No. 30.

Mr. Clarke to the Marquis of Salisbury.—(*Received by telegraph, August* 13.)

My Lord, *Cairo, August* 13, 1889.

I HAVE the honour to state that, from telegrams received by General Dormer from Colonel Holled Smith, it appears that the Hadendowas, to the number of 700, collected at Suakin on the 10th instant, and started on the following day to attack Sinkat, where a small Dervish force has been attempting to extort taxes; also that Colonel Holled Smith did not consider it advisable to demand hostages.

In obedience to your Lordship's instructions, I ascertained from him that the only assistance he was giving the Hadendowas consisted of arms and food. He states that "nothing further is demanded or expected." I therefore understand that he has made it clear to the allies that they will receive no assistance from Egyptian troops if the expedition to Sinkat proves unsuccessful.

I have, &c.
(Signed) F. S. CLARKE.

No. 31.

Mr. Clarke to the Marquis of Salisbury.—(*Received August* 18, 4 P.M.)

(Telegraphic.) *Cairo, August* 18, 1889, 2·20 P.M.

A TELEGRAM has been received from the Governor at Suakin stating that the Hadendowas have driven Dervishes out of Sinkat, and that a great number of cattle, which Dervishes had captured from loyal natives, have now been recovered.

Sinkat has been occupied by Mahdiists since its fall in 1883. It was Moussa Digna's head-quarters. Sirdar considers that its evacuation by the Dervishes will produce a very good effect.

No. 32.

Mr. Clarke to the Marquis of Salisbury.—(*Received August* 30, 2 P.M.)

(Telegraphic.) *Cairo, August* 30, 1889, 12·50 P.M.

GOVERNOR-GENERAL at Suakin reports that the Hadendowas left Suakin yesterday morning for Sinkat. Some of the Amarars joined them. Moussa Digna has been reinforced by 300 men at Erkoweet; deserters report great discord between Moussa and Baggara Emir. They have no food. Tribes at Tokar are said to be anxious to desert Osman.

No. 33.

Mr. Clarke to the Marquis of Salisbury.—(*Received September* 9.)

My Lord, *Cairo, August* 30, 1889.

I HAVE the honour to transmit herewith copies of two telegrams which have been received from Colonel Holled Smith with regard to the present tribal policy at Suakin.

I have, &c.
(Signed) F. S. CLARKE.

Inclosure 1 in No. 33.

Colonel Holled Smith to Major-General Grenfell.

(Telegraphic.) *Suakin, August* 26, 1889.

UNION arranged between Hadendowa and Amarars, who promise support.

Inclosure 2 in No. 33.

Colonel Holled Smith to Major-General Grenfell.

(Telegraphic.) *Suakin, August* 29, 1889.

HADENDOWA Arabs leave Suakin this morning to join Abdul Kader, their Sheikh, and other tribes at Sinkat. Some of the Amarar joined them by mutual consent. Moussa Digna is at Erkowit, and has been reinforced by 300 men, from whom several deserters have come in and report great discord between Moussa and Baggara Emir. They have no food. Mahmoud Bey brought Aly Rukab in, who promises to cease raiding and support the loyal tribes. He reports Tokar tribes are desirous to desert Osman if a favourable opportunity presents.

No. 34.

Mr. Clarke to the Marquis of Salisbury.—(*Received by telegraph, September* 11.)

My Lord, *Cairo, September* 11, 1889.

WITH reference to my despatch of the 5th instant, I have the honour to report that, in consequence of the irresolute action of the Hadendowas in the attempts they have been making to drive out the Dervishes from the vicinity of Suakin, the Arab force which had been collected together for that purpose has been disbanded.

Colonel Holled Smith has been instructed to incur no further expenditure; to give no more assistance in the way of food and arms to the tribes, and not to renew his promises to the Sheikhs without authority from Cairo.

I have, &c.

(Signed) F. S. CLARKE.

No. 35.

Mr. Clarke to the Marquis of Salisbury.—(*Received September* 12.)

My Lord, *Cairo, September* 5, 1889.

WITH reference to my despatch of the 30th ultimo, I have the honour to state that the reports received within the last fews days from the Governor of Suakin show that no decisive action has as yet been taken by the Hadendowas and the other friendly tribes. A slight engagement took place between them and the Dervishes about the 3rd instant, but without any result. Colonel Holled Smith is now inclined to doubt the sincerity of some of the more distant tribes as none of them have, up to the present, joined the movement. He has told all the Sheikhs that unless they really show a desire to drive the Dervishes out of the country, all further assistance from the Government in the way of food and arms will cease.

The sum so far expended in dhurra, &c., is very inconsiderable.

No. 36.

Sir E. Baring to the Marquis of Salisbury.—(*Received October* 14.)

My Lord, *Cairo, October* 1, 1889.

I HAVE the honour to inclose a copy of a Report addressed by the Governor of Suakin to the Acting Sirdar (Colonel Kitchener) on the recent action of the Hadendowah Arabs.

As the whole of this incident is now terminated, it is unnecessary for me to make any lengthy observations on the subject; but I may mention that the result has shown that Her Majesty's Government were fully justified in expressing great doubts as to the wisdom of the action taken by the Suakin authorities in this matter.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 36.

Colonel Holled Smith to Colonel Kitchener.

Sir, *Suakin, September* 15, 1889.

I HAVE the honour to report on the recent action of the Hadendowah Arabs.

For some time past I had received visits from Sheikhs of various sections of the Hadendowah tribes, of which the following are the principal:—

Abdel Kader, Omar Ibrahim, of the Handabs, and Sheikhs of the Hakolab, Malulinab, Bayudab, Muhammed Emir Fagiri Shirab, Omar Abu Asha, Guraib, Eyssa Giukeen, and Eylog, of the Shebodinab, Sheikhs of the Amirab and Bishariab-Gemilat, and several smaller Sheikhs.

They all declared they had given up Mahdiism, they were loyal to the Government, that they were tired of the cruel and ruinous rule of Osman Digna and the Dervishes, and, further, they said they were ready to drive the Dervish from the country.

In order to effect this, they asked for Government aid in food and arms.

The demand was reasonable, as I knew the Arabs outside to be at starvation point, and that this was brought about by Dervish raids and extortions, and by the small rainfall of last year.

On the 1st July, I forwarded by telegraph to Cairo the proposals of the Sheikhs, and recommended Government to accept.

I considered the moment favourable, for the following reasons:—

1. I knew the Dervishes were weak at Tokar, and that no reinforcements were likely to come to Osman Digna.

2. The time for growing crops was in the future, and the Arabs could, therefore, be more easily collected.

3. The Dervishes were making a determined attack on Upper Egypt, and any hostile action of the Arabs would cause a valuable diversion.

On the 4th July, in answer to the Sirdar's demand for definite proposals, I replied that the Hadendowahs offered to take Tokar and open trade routes, provided the Government assisted them with arms and food.

The Sirdar, on behalf of Government, accepted this programme on the 5th July, and the Sheikhs were informed of this; and, in order to hurry them on, I fixed the end of August as the time within which something definite was to be accomplished.

The Sheikhs then left to collect their men, and subsequently we had reports that the Arabs were collecting, and that the Gemilats were especially active.

Nothing of any importance occurred till the beginning of August, when messengers were sent out to tell the Sheikhs to meet here on the 12th.

On the 10th August, Omar, of the Hamdabs, came in, and said he had collected 900 men.

These were given arms and food, and were sent to drive away Moussa Digna and a small party of Dervishes who were raiding cattle from Sinkat.

The approval of the Sirdar was first obtained for this movement. Moussa Digna retired to Erkowit. It was my intention that Omar and his men should remain at Sinkat as a centre on which the Hadendowahs might form. They, however, returned to Suakin on the score of food. It was on their return that the Amarars begged to be allowed to join this movement, and on the 29th August about 1,500 Arabs left to establish a centre at Sinkat.

They left in excellent spirits, and it seems that after their departure they decided to attack Erkowit on the way, where there were reported to be some 300 Baggarees. The first skirmish was fairly successful, but, on a second attempt, tribal jealousies seem to have sprung up, and the Samarars and Amarars would appear to have borne the brunt of the fighting. The Arabs returned to Tamanib, where they had their food, and the fact of the Dervishes not following them up would lead them to suppose that the advantage was not altogether on the Dervish side. However, I did

not consider the attitude of the Hamdab, Guraib, and outside tribes satisfactory. I then informed the Sheikhs that Government did not intend promoting purely local movement from Suakin, but had given assistance on the understanding that a general movement was desired by them, and that if no signs of this was shortly apparent, such assistance would be withdrawn.

On the 4th September I telegraphed to Cairo that I was inclined to doubt the sincerity of the outside tribes, and not hearing of any active movement on their part, I disbanded the force of Arabs on the 8th September.

On the 10th September you telegraphed that the General and Agency considered the whole affair ended, in which decision I entirely concurred.

It is difficult to explain the dilatory action of the Hamdabs and neighbouring tribes. The Gemilats have been raiding round Tokar for some time past, and would have joined, I am sure, with some other tribes if they had advanced on Tokar. Three days ago, some other Sheikhs of the Shebodinab tribe arrived here with a few men to offer help, having heard that the tribes had risen in the district.

In the many interviews I had the Sheikhs appeared combined, and honest in their desire to drive the Dervishes from Tokar. Possibly the absence of a head Sheikh to direct may have been felt, and the Sheikhs held back to see how affairs went before compromising themselves. I do not consider the movement entirely without good results. There are now no Dervishes at Sinkat, and almost all have left Erkowit. It has at least shown the Dervishes that a revolt against their cruelties and extortions is possible. I am still of opinion—the presence of the Dervishes at Tokar being inimical to trade and the well-being of the country— that Government should lose no occasion of rendering their stay impossible.

I have, &c.
(Signed) HOLLED SMITH.

No. 37.

Sir E. Baring to the Marquis of Salisbury.—(*Received November* 4.)

My Lord, *Cairo, October* 27, 1889.

I HAVE the honour to transmit to your Lordship herewith copy of a despatch which has been addressed to me by Her Majesty's Acting Consul at Suakin on the state of affairs in that port.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 37.

Acting Consul Jones to Sir E. Baring.

Sir, *Suakin, October* 15, 1889.

I HAVE the honour to inform you that I took over the duties of Acting Consul from Commander Corfe, Her Majesty's ship "Gannet," on the 14th October, and he informed me that everything remains quiet at Suakin.

Osman Digna has left Tokar on his way to Khartoum with a large number of leading Sheikhs and Emirs, and all his own people; many of the Sheikhs went very unwillingly, and some escaped to the hills, particularly the Sheikh of Ashrafs, who has collected a gathering of Arabs, and is investing Tokar and raiding on the Dervish property. Ahmed Mahmoud (son of Mahmoud Bey Ali), who has been at Handoub as Dervish Ameer, left yesterday to join Osman on his way to Khartoum. The Shyial and Norab tribes have come in to Suakin, bringing large numbers of camels (said to be 3,000), to escape being plundered by Osman, whilst passing through their districts, and some have since gone on to the Geziriet Abdullah, where there is better pasturage. The district all round seems very quiet, all being engaged in planting their crops, which promise to be exceptionally good this year owing to the enormous amount of rain and floods.

Trade latterly has considerably increased, the greater portion of it being in the hands of British Indian subjects.

I have, &c.
(Signed) F. JONES.

No. 38.

Sir E. Baring to the Marquis of Salisbury.—(*Received November* 26.)

My Lord, *Cairo, November* 12, 1889.

I HAVE the honour to inclose a copy of a letter addressed by the Commissioners of the Debt to the Stock Exchange Committee on the subject of the method of dealing with the payment of interest on lost or stolen bonds.

The question at issue is, on its own merits, one of some importance, but the indirect consequences which will ensue, should the matter not be satisfactorily settled, are of still greater importance.

The solvency and financial prosperity of Egypt depend in a very great degree on the system of irrigation being conducted on sound and scientific principles. Your Lordship is aware that since the British occupation of the country, very great improvements have been made in this direction. I have no hesitation in saying that no single measure has so much contributed to raise Egyptian credit and to insure the regular payment of the interest on the Debt as the improvements carried out under the guidance of Sir Colin Moncrieff and his able coadjutors. But the works are not yet completed. In order to complete them, it is necessary to borrow some further sums of money. I need hardly say that if the London market is closed to the Egyptian Government, borrowing becomes practically impossible. Hence, unless the present dispute can be settled, the works will have to be stopped, Considerable sums of money will have been wasted, and a very severe blow will be given to financial reform in Egypt.

The Egyptian authorities, both English and native, feel very strongly on this subject. They naturally complain that, after all the very great and successful efforts they have made to restore the credit of Egypt, and to benefit both the people of Egypt and the bondholders, they should find the progress of reform checked by a dispute with which they have little or no concern.

I had the advantage when I was in London of discussing this matter with the Secretary of the Stock Exchange Committee, and I feel sure from what Mr. Levien told me, that there is every disposition to arrive at a settlement of the question.

I need not enter into the merits of the question in detail, as the letter of the Commissioners of the Debt fully explains the proposals which are now made. I will only say that from the first moment that this matter was brought to my notice, I was of opinion that the original Regulations framed by the Commissioners of the Debt were far too stringent.

It will be seen that the new Regulations are based on the existing practice of the Bank of England.

I have one further observation to make. Under the Decree of the 22nd June, 1886, the Commissioners of the Debt are empowered to make regulations in connection with the procedure to be adopted in the case of stopped bonds. I gather that the Stock Exchange Committee are inclined to ask for a formal repeal of this law, so that it may not be in the power of the Commissioners to revert to the former practices to which exception has been taken. No such change can be made without the sanction of the Powers.

I trust the Stock Exchange Committee will not insist on this point. I have been for many years in this country, and I can speak with some authority as to what dangers are real and what imaginary.

I have no hesitation in saying that the danger against which it is intended to guard is imaginary.

Practically, there is not the least risk of the Commissioners going back to the old procedure.

On the other hand, to insist on a formal repeal of the law would in practice be almost equivalent to postponing for an indefinite period the settlement of the question, and an indefinite postponement would be exceedingly hurtful to the interests of all concerned, that is to say, the Egyptian Government, the Egyptian taxpayers and cultivators, and, I may add, the foreign bondholders, who are greatly interested in the general prosperity of the country.

For many reasons, upon which I need not now dwell, the present moment is very inopportune for asking the consent of the Powers to a measure of this sort. Objection would certainly be taken to the proposals on their own merits, for as your Lordship is without doubt aware, continental law differs very widely from the English practice in respect to the points under discussion.

Further, experience has shown that, even in cases where no great objections are entertained to any particular proposal considered on its own merit, it is not always easy to obtain the assent of the Powers. To obtain that assent, it has always been necessary to enter into long and tedious negotiations, which after all are not unfrequently unsuccessful.

I therefore venture to express a strong hope that the Stock Exchange Committee will consider that the interests which they are called upon to defend will be sufficiently guarded by the proposals now made, and that they will not consider a formal change in the law necessary.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 38.

The Commissioners of the Debt to the Committee of the Stock Exchange, London.

Sir, [*No date.*]

THE exclusion of the 4½ per cent. Egyptian Loan of 1888 from quotation on the Stock Exchange might affect injuriously the value of that stock.

For that reason, and because they recognize the disadvantages of being at issue with the Stock Exchange on questions of procedure in regard to the payment of coupons, the Caisse de la Dette are desirous to come, if possible, to an understanding with your Committee.

The question to be considered is the best means of protecting the interests of the *bonâ fide* holder of a coupon or bond, while giving due assistance to the original proprietor, from whom such coupon may have been stolen, or by whom it may have been lost.

The Caisse is at least as interested as the Stock Exchange Committee can be in doing nothing which would lower the value of the stock of which they are trustees, and they fully recognize the fact, that undue restrictions on the immediate payment of a presented coupon must tend to have that effect.

Acting on this view, and perceiving the defects of their original procedure, the Caisse obtained from the Egyptian Government, with the sanction of the Powers, the issue of the Decree of the 22nd June, 1886.

Prior to the date of that Decree, the procedure, partly the result of certain judicial proceedings, was that which was explained to your Committee in our letter of the 13th January, 1886 (copy appended, Annex A).

There is no doubt that the holder of a coupon for the non-payment of which a Petition in due form had been presented was, by the old rules, subjected to a great hardship.

Once a stoppage ordered, and the Caisse had no discretion as to refusing stoppage if the opposition was made in due form, the holder could not get payment until the Civil Court had decided who was the rightful owner, the objector or the holder. If the objector did not initiate proceedings before the Court the holder was forced to do so, which meant to him loss of time and of money.

All this is now changed, and has been changed for some time.

By the Decree of the 22nd June, 1886, the officers of the Courts are estopped from entertaining Petitions of opposition to the payment of coupons, and the Caisse is relieved of the obligation to accept always similar notices of opposition when served by a bailiff of the Court.

The freedom of action now enjoyed by the Caisse has enabled it to change entirely the old procedure. The latest instructions issued by deliberation of the 28th January, 1889 (copy in Annex B), permit its agents to receive notices of opposition, which notices are to be at once signified to the other agents.

When a coupon thus opposed is presented for payment, the agent to whom it is presented exercises his discretion as to paying or refusing payment.

If the coupon be presented by a firm or by a known and solvable person it would be paid, otherwise not; and in either case, the name and address of the presenter would be communicated to the opposer. Unless, after this, the opposer give proof within one month or within two, according as to whether opposer and presenter reside in the same country or in two different ones, that he has instituted judicial proceedings against the holder, the opposition falls through, and the holder is, on application, paid.

You will observe that by these rules the institution of proceedings falls entirely upon the maker of the opposition, and not upon the holder of the coupons.

The Caisse, however, are disposed to go still further.

It would seem better to rule as follows:—

1. Petitions of opposition would continue to be received by the Caisse and its agents, and copies thereof to be forwarded to all the other agents and to the Caisse.

2. Immediately on the presentation for payment of the opposed coupon, the office at which the payment is demanded shall communicate to the office which received the opposition and to the opposer the name and address of the presenter or holder. Such communication would be by telegraph if the opposer had, when making his opposition, deposited a sum sufficient to cover expenses of telegraphing.

3. The maximum period of time allowed for non-payment of a coupon struck with opposition would be one week. If, before the expiration of seven days from the presentation of such coupon for payment, the agent shall not have received a prohibitory order or injunction from a competent Court, he shall pay the coupon.

Rule 3 of the above is the same in principle as that which holds good at the Bank of England, where opposed coupons are not paid till after such time as permits of information being given to the opposer, and enables him to take action. In general, the Bank does not delay payment for more than three or four days. In fixing a week as the limit, the Caisse have been influenced by the fact that their rules apply not only to one, but to four different countries.

The above rules would be applicable not only to the payment of coupons, but to the reimbursement of bonds drawn at the half-yearly drawings.

We trust that your Committee will consider these rules as fully answering the objects which they, in common with the Caisse, have in view.

I have, &c.

(Signed) A. MONEY, *Commissaire de Service.*

No. 39.

Sir E. Baring to the Marquis of Salisbury.—(*Received November* 30, 11 P.M.)

(Telegraphic.) *Assouan, November* 30, 1889, 9·5 P.M.

AFTER full inquiry here, I made strong representations to the Egyptian Government respecting the opening of trade with the Soudan.

The Government has accordingly decided to allow trade to be carried on in certain specified places except in arms and grain, and I have notified this decision to the merchants in the town. I warned them that the measure was merely experimental, and that if contraband trade were carried on the Government might be obliged to revert to the policy of complete prohibition.

No. 40.

Mr. Clarke to the Marquis of Salisbury.—(*Received December* 2.)

My Lord, *Cairo, November* 21, 1889.

I HAVE the honour to transmit herewith a report by the Acting Consul at Suakin on the present position of affairs in the neighbourhood of that town.

I have, &c.

(Signed) F. S. CLARKE.

Inclosure in No. 40.

Acting Consul Jones to Sir E. Baring.

Sir, *Suakin, November* 13, 1889.

SINCE my last general letter I have the honour to report that affairs remain quiet at Suakin.

A leading Suakin Sheikh whom I interviewed, and who has just returned from Tokar, reports that the tribes at Tokar are all now peacefully inclined, having suffered much from famine and want, and would gladly welcome any Government who would

take them over, and not want them to fight, This man had also received a letter from the Ameers, and the Wakil of Osman Digna, asking him to inform the whole of the inhabitants of Suakin that they might come in peace and safety, only they must pay the taxes to the Mahdi's commonwealth.

The Dervishes rule Tokar very severely, but they have no strength to go out among the tribes. The cotton in Tokar is flourishing and coming up in large quantities.

I have, &c.
(Signed) H. JONES, *Lieutenant-Commander.*

No. 41.

Stock Exchange to Foreign Office.—(Received December 5.)

Sir, *London, December 4, 1889.*

BY direction of the Committee of the Stock Exchange I herewith send to you, for the information of the Marquis of Salisbury, copy of a letter addressed by the Committee to the Commissioners of the Public Debt in Egypt, in reply to the communication from the Commissioners referred to in Sir Evelyn Baring's despatch.

I am, &c.
(Signed) FRANCIS LEVIEN, *Secretary.*

Inclosure in No. 41.

Stock Exchange to Mr. Money.

Sir, *London, December 4, 1889.*

THE Committee of the Stock Exchange have directed me to thank you for your communication of the 13th November, and to express the hope that, in view of the important interests at stake, all impediments to the quotation of Egyptian State Bonds may soon be removed.

The Committee recognize the force of the statement made to them, that it is impracticable, at the present moment, to obtain any formal repeal of existing Egyptian laws with regard to lost or stolen bonds or coupons, but are glad to find that the Commissioners of the Public Debt are prepared to avail themselves of the freedom of action enjoyed by them, under the Decree of June 1886, to make such new Regulations, and to issue such instructions as will in future practically enable *bonâ fide* holders and presenters of Egyptian bonds to bearer, and the coupons thereof, to receive payment for property which has been honestly acquired by them for value in the open market.

The Committee are of opinion that the Regulations detailed in your letter will effect the objects aimed at, and upon receiving an intimation from you that the necessary instructions will be given, they will consider that their duty to the English public with regard to this matter has been discharged, and that they will be free to grant an official quotation to the 4½ per Cent. Egyptian Loan.

The Committee depend upon the adoption by the administration of the Daïra Sanieh of Regulations idential with those now proposed by you on behalf of the Commissioners of the Debt.

I have, &c.
(Signed) FRANCIS LEVIEN, *Secretary.*

No. 42.

Mr. Clarke to the Marquis of Salisbury.—(Received December 10.)

My Lord, *Cairo, December 1, 1889.*

I HAVE the honour to transmit to your Lordship herewith copy of an Order addressed by the Khedive to the Minister of the Interior on the 24th ultimo, stating that His Highness had been pleased to give his assent to the request made to him to remit the unexpired portion of sentences on nineteen convicts, who had been con-

demned by the Brigandage Commissions some four years ago to various terms of imprisonment with hard labour, for acts of brigandage and theft.

M. Legrelle, as your Lordship will remember, had alleged that, in many instances, torture had been applied by the Commissions to extract evidence and to obtain confessions of guilt.

A careful investigation made this summer into the proceedings of some of the trials showed that M. Legrelle's charges were well based.

A Commission was therefore appointed a short time ago to examine into the Reports drawn up by M. Legrelle regarding the cases where heavy sentences had been passed, either after the application of torture or on evidence which was entirely untrustworthy.

As a result, the Commission recommended a free pardon being granted in nineteen cases, and His Highness has exercised his clemency by acceding to the recommendation.

I have, &c.
(Signed) F. S. CLARKE.

Inclosure in No. 42.

Ordonnance Khédiviale transmise pour exécution à son Excellence le Ministre de l'Intérieur, à la date du 24 Novembre courant.

(Traduction.)

Mon cher Ministre,

APRÈS avoir pris connaissance des lettres en date du 24 Novembre (1er Rabi-Akher, 1307), par lesquelles vous sollicitez de notre bienveillance la remise de la durée de l'imprisonnement restant à subir, sur les peines prononcées contre dix-neuf individus, condamnés dans des affaires d'attaques à main armée ou de tentatives de vol, par les Commissions de répressions du brigandage de la Haute- et de la Basse-Égypte et de la Moudirieh de Menoufieh ;

Cédant aux sentiments de bonté qui nous animent à l'égard de notre peuple, nous avons daigné accéder à votre demande et faire grâce de leur peine aux condamnés en faveur desquels vous avez intercédé.

Nous vous transmettons en conséquence la présente Ordonnance pour qu'elle reçoive la suite qu'elle comporte.

(Signé) MÉHÉMET TEWFIK.

Liste nominative des individus condamnés en vertu d'Arrêts rendus par la Commission de la Haute-Égypte, dans l'affaire de l'attaque à main armée dirigée le 25 Moharrem, 1303, contre le village de Zarabi el Cabissat, sis à proximité des villages de Teleimat et Tahta (province de Guirgeh) :—

1. Abdel Al Khadr, condamné à quinze ans de travaux forcés.
2. Ald el Fattah Khadr, condamné à dix ans de travaux forcés.
3. Hussein Mohamed, condamné à dix ans de travaux forcés.
4. Abd el Magid Ahmed, condamné à huit ans de travaux forcés.
5. Ganem Hassanein, condamné à huit ans de travaux forcés.
6. Awad Massaoud, condamné à huit ans de travaux forcés.
7. Mahmoud Massaoud, condamné à huit ans de travaux forcés.
8. Halfa Moawad, condamné à huit ans de travaux forcés.
9. Ahmed Haridi, condamné à cinq ans de travaux forcés.
10. Abd-el-Rahman Mohamed Aly Aweda, condamné à cinq ans de travaux forcés.
11. Aly Mahmoud, condamné à cinq ans de travaux forcés.
12. Mahamed Aly, condamné à cinq ans de travaux forcés.
13. Ahmed Abd-el-Kork, condamné à cinq ans de travaux forcés.
14. Abdel Rahman Atia Abou Dour, condamné à cinq ans de travaux forcés.
15. Behnasawi Osman, condamné à dix ans travaux de forcés pour complicité dans l'attaque à main armée dirigée contre la hutte de Id Rafé, Bédouin établi à proximité de la localité de Rawafé El-Isawia et Tubaria (province de Guirgheh), attaque jugée le 3 Moharrem, 1303.
16. Mahmoud Abd-Allah, condamné à dix ans de travaux forcés pour participation à une attaque à main armée dirigée contre la maison d'Abd El-Rahman

Mohamed E-Harami, à Nagh Zankowi (Guirgheh), attaque jugée le 24 Moharrem, 1303.

17. Hassan Abd-el-Latif, condamné à huit ans de travaux forcés.

18. Saïd Admed Hanafi, condamné, à la date du 28 Moharrem, 1303, à cinq ans de travaux forcés pour tentative de vol dans l'Ezbeh de Abdel Kader Moustafa, à proximité du village de Gress (Menoufieh), affaire dans laquelle le Wékil de la dite Ezbeh, Dessouki Youssef, a été tué.

19. El Dib Girgis, joaillier condamné par la Commission de Menoufieh et par la Haute Commission à trois ans de travaux forcés pour complicité dans l'affaire de l'attaque à main armée dirigée contre la maison de Ismaïl Hammad, de Menchad Ganzour, attaque commise dans la nuit du 4 Moharrem, 1303.

(Translation.)

Khedivial Ordinance transmitted for Execution to his Excellency the Minister of the Interior, on November 24 of this year.

(Translation.)

My dear Minister,

HAVING taken note of the letters dated the 24th November (1 Rabi-Akher, 1307), in which you request, through our influence, the remission of the remaining term of imprisonment inflicted on nineteen individuals condemned for armed assaults and attempted robbery, by the Commissioners for repressing brigandage in Upper and Lower Egypt and the Mudirieh of Menoufieh;

Guided by our feelings of solicitude for our people we have acceded to your request, and remit the punishment of the condemned men in whose favour you have interceded.

We transmit to you therefore the present Ordinance, in order that the necessary effect may be given to it.

(Signed) MÉHÉMET TEWFIK

List of names of individuals condemned by virtue of sentences pronounced by the Commission of Upper Egypt in the affair of the armed assault made on the 25th Moharrem, 1303, against the village of Zarabi el Cabissat, situated in the neighbourhood of the villages of Teleimat and Tahta (Province of Guirgheh) :—

1. Abdel Al Khadr, condemned to fifteen years' penal servitude.
2. Ald el Fattah Khadr, condemned to ten years' penal servitude.
3. Hussein Mohamed, condemned to ten years' penal servitude.
4. Abd el Magid Ahmed, condemned to eight years' penal servitude.
5. Ganem Hassanein, condemned to eight years' penal servitude.
6. Awad Massaoud, condemned to eight years' penal servitude.
7. Mahmoud Massaoud, condemned to eight years' penal servitude.
8. Halfa Moawad, condemned to eight years' penal servitude.
9. Ahmed Haridi, condemned to five years' penal servitude.
10. Abd-el-Rahman Mohamed Aly Aweda, condemned to five years' penal servitude.
11. Aly Mahmoud, condemned to five years' penal servitude.
12. Mahamed Aly, condemned to five years' penal servitude.
13. Ahmed Abd-el-Kork, condemned to five years' penal servitude.
14. Abdel Rahman Atia Abou Dour, condemned to five years' penal servitude.
15. Behnasawi Osman, condemned to ten years' penal servitude for complicity in the armed assault made on the hut of Id Rafé, Bedouin, established in the neighbourhood of the locality of Rawafé El-Isawia and Tubaria (Province of Guirgheh), which was tried the 3rd Moharrem, 1303.
16. Mahmoud Abd-Allah, condemned to ten years' penal servitude for participation in an armed assault on the house of Abd El-Rahman Mohamed E-Harami, at Nagh Zankowi (Guirgheh), which was tried on 24 Moharrem, 1303.
17. Hassan Abd-el-Latif, condemned to eight years' penal servitude.
18. Saïd Admed Hanafi, condemned on 28 Moharrem, 1303, to five years' penal servitude for attempted robbery in the Ezbeh de Abdel Kader Moustafa, in the neighbourhood of the village of Gress (Menoufieh), when the Wékil of the said Ezbeh, Dessouki Yussuf, was killed.
19. El Dib Girgis, jeweller, condemned by the Commission of Menoufieh and

by the High Commission to three years' penal servitude for complicity in the armed assault on the house of Ismaïl Hammad, of Menchad Ganzour, committed on the night of 4 Moharrem, 1303.

No. 43.

Mr. Clarke to the Marquis of Salisbury.—(Received December 13.)

My Lord. *Cairo, December 6, 1889.*

I HAVE the honour to transmit copy of a Report I have received from Her Majesty's Consul at Suakin, giving an account of an unfortunate incident which occurred outside the gates of the town, and which resulted in the loss of several lives.

I have, &c.

(Signed) F. S. CLARKE.

Inclosure in No. 43.

Mr. Barnham to Sir E. Baring.

(Extract.) *Suakin, November 26, 1889.*

WHEN I arrived at Suakin on the 19th instant I found the district quiet, the inhabitants of the native quarter occupied in cultivation near the wells, the caravan route to Berber was open, and good reports were received daily from Tokar as to the cotton cultivation there, between Erkowit and Sinkat and the country north of Sinkat. One caravan with gum and ivory arrived to-day, and another is expected a few days hence.

Abu Girgeh commanded at Tokar, and the Pasha informed me that he was in friendly negotiations with him. The worst news we had received up to yesterday was a threatened invasion of locusts, which happily passed across the continent, and news from Kassala that the plague, or some similar fatal disease, had broken out in the town, and was decimating the population.

I regret to report an incident which occurred yesterday outside the gates of Suakin, in which several lives were lost, in the light of which the peaceful prospect I have described becomes sadly marred. One Onoor Anoyeh, a Gemelab Hadendowa, stated to be in the Government pay, went to Tokar, stole a number of camels, and, finding he could not carry them off safely, cut their throats, and fled.

He was followed up to the gates of Suakin by thirty rebel horsemen (Komelab-Hadendowas and Baggara slaves), who attacked every one they met. Twenty-seven are said to have been killed, and several women and children wounded. Since things had quieted down many people had encamped outside the walls, and women and children might be seen wandering about alone for some distance from the town.

No. 44.

The Marquis of Salisbury to Sir E. Baring.

(Telegraphic.) *Foreign Office, December 14, 1889.*

YOU should inform the military authorities at Suakin that under no circumstances must Tokar be occupied unless previous authorization is received from Cairo.

No. 45.

Sir E. Baring to the Marquis of Salisbury.—(Received December 23.)

My Lord, *Cairo, December 9, 1889.*

I HAVE the honour to transmit herewith copy of the announcement which appeared in the "Journal Officiel" of the 2nd instant, with regard to the recent reopening of trade between Egypt and the Soudan.

The re-establishment of commercial relations is an experimental measure, and

applies exclusively to the importation into Egypt of gum and other products of the Soudan, and to the exportation of textile goods, cotton manufactures, &c.

The trade in arms, powder, munitions of war and grain remain strictly prohibited.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 45.

Extract from the "Journal Officiel" of December 2, 1889.

PRÉSIDENCE DU CONSEIL DES MINISTRES.

Lettre adressée à son Excellence le Ministre de l'Intérieur à la date du 30 Novembre (7 Rabi-Akher, 1307).

DANS sa séance du Jeudi, 28 Novembre dernier (5 Rabi Akher, 1307), le Conseil des Ministres,

Statuant sur la question du rétablissement des relations commerciales entre l'Égypte et le Soudan ;

Eu égard à l'amélioration de la situation à la frontière et considérant que la réouverture du commerce avec le Soudan donnerait une grande impulsion aux transactions commerciales et profiterait aux habitants de la Haute-Égypte ;

A décidé de rétablir, à titre d'essai, les relations commerciales entre l'Égypte et le Soudan, sous la réserve que la mesure s'appliquera exclusivement : comme articles importés en Égypte, aux gommes et autres produits du Soudan, comme articles exportés d'Égypte, aux tissus, cotonnades, et autres produits manufacturés.

L'exportation des armes, poudre, munitions de guerre et des grains demeure, comme par le passé, interdite d'une façon formelle et absolue.

Les autorités militaires sont chargées de délivrer les permis d'usage pour l'exportation des marchandises rentrant dans la première catégorie et de prendre les mesures nécessaires pour empêcher la contrebande des marchandises prohibées. Elles auront, à cet égard, à procéder à la saisie et à la confiscation des objets dont l'entrée au Soudan est interdite et que leurs propriétaires tenteraient d'y introduire frauduleusement.

Le Président du Conseil des Ministres,

(Signé) RIAZ.

La présente décision vient d'être communiquée au Ministère de la Guerre afin d'en assurer l'exécution, et le Ministère de l'Intérieur est chargé d'y donner la suite voulue en ce qui le concerne.

(Translation.)

PRESIDENCY OF THE COUNCIL OF MINISTERS.

Letter addressed to his Excellency the Minister of the Interior, under date of November 30 (7 Rabi-Akher, 1307).

AT its meeting on Thursday, the 28th November last (5 Rabi-Akher, 1307), the Council of Ministers,

Considering the question of the re-establishment of commercial relations between Egypt and the Soudan ;

In view of the improvement of the situation on the frontier, and being of opinion that the reopening of commerce with the Soudan would give a great impulse to commercial transactions, and would benefit the inhabitants of Upper Egypt ;

Decided, as a tentative measure, to re-establish commercial relations between Egypt and the Soudan, with the reservation that the measure shall apply exclusively : to the following articles for import into Egypt, gums and other products of the Soudan, to the following articles for export from Egypt, textile fabrics, cotton stuffs, and other manufactured products.

The exportation of arms, powder, munitions of war, and grain is, as before, expressly and absolutely forbidden.

The military authorities are authorized to issue the usual permits for the exportation of goods comprised within the first category, and to take the measures necessary to prevent a contraband trade in goods which are prohibited. With this object they should seize and confiscate goods which are prohibited from entering the Soudan, and which their owners may endeavour to introduce fraudulently.

The President of the Council of Ministers,

(Signed) RIAZ.

The present decision has been communicated to the Ministry of War with a view to its execution, and the Ministry of the Interior is instructed to give effect to it so far as it is concerned in the matter.

No. 46.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 23.)

(Extract.) *Cairo, December* 11, 1889.

DURING my recent tour on the frontier I endeavoured to obtain all the information possible as to the present state of affairs in the Soudan. There can be no doubt that a large portion of the population are heartily sick of Dervish rule. A constant stream of refugees arrives at Wady Halfa. These consist mostly of Berberines—the name applied to the riverain population from Wady Halfa to Dongola. They all tell the same tale, and it is easy to gather from what they say that the grossest forms of misgovernment now exist in the Soudan. They all speak of the cruelty of the Dervish rule, of which several striking instances were given to me, and of the heavy exactions which are levied. A good deal of the land is being thrown out of cultivation I myself met on the road to Sarras a number of refugees who presented conditions of the most abject poverty. One boy was in the last stage of starvation, and many others were clearly pinched by famine.

But however unpopular the Dervish rule may be with certain classes, the most warlike tribes remain generally faithful to the Mahdiist cause. These are notably the Jaalins and the Baggaras. The former are, however, said to be wavering, more especially since the death of Wad-el-Nejumi, who was himself a Jaalin. Some of their leading men recently made overtures to Colonel Wodehouse, and the best authorities on frontier matters think that before long it may perhaps be possible to detach the Jaalins from the Mahdiist cause. I questioned one rather intelligent Jaalin merchant, who had just arrived from Dongola. He said that the Jaalins only remained loyal to the Khalifa from fear, and that at any moment they might all desert his cause. It appears that there has always been much tribal jealousy between the Jaalins and the Baggaras.

Should the Jaalins desert the Khalifa their defection would considerably weaken the Mahdiist force. But the Baggaras would remain faithful, and the latter are more numerous than the Jaalins; and, further, by all accounts, are, from their warlike qualities, far more formidable enemies. They constitute, in fact, the mainstay of Dervish domination. Abdullah-el-Taaishi, the present Khalifa, who succeeded the late Mahdi, is himself a Baggara. The most lucrative places are reserved for his tribesmen, who have, therefore, everything to lose and nothing to gain by any radical change in the present condition of affairs. The Baggaras have not, as yet, shown the smallest sign of defection, and they are believed by the best frontier authorities to be quite irreconcilable.

Although, therefore, the Dervish rule must necessarily have been somewhat weakened by the unpopularity which it has incurred, and although the defection of the Jaalins, should it take place, would give Mahdiism a rather serious blow, I cannot say that I heard anything which would induce the belief that there is at present much prospect of Dervish predominance being overthrown by reason of internal dissensions in the Soudan.

The present disposition of the Dervish military force is, so far as I could ascertain, somewhat as follows:—

The nearest Dervish force is at present stationed at Suardu, some 150 miles south of Sarras, which is the most advanced post held by the Egyptian army. At Suardu there are said to be some 500 or 600 men, half Baggaras and half Jaalins. A force of about 1,000 Dervishes, also Baggaras and Jaalins, is at Dongola. The mass of the Dervishes is at Omdurman and Khartoum.

It should be borne in mind that, when any question of figures is involved, the information given by the refugees and others who come from the Soudan is especially untrustworthy. It seems, however, pretty certain that Suardu is held by a small, and Dongola by a somewhat larger, but still far from formidable, force of Dervishes. I do not give any figure for the Dervish reserve at Khartoum, as I heard the force very variously estimated, and I do not think that much reliance can be placed on any of the estimates.

Looking, however, at the present position of the Dervish troops it is tolerably clear that, whatever the future may bring forth, there is no very immediate danger of hostilities being renewed on the frontier.

The military situation now occupied by the Egyptian troops has, without doubt, often been described by far more competent authorities than myself. At the same time your Lordship may be interested to learn the impressions which I derived from an examination of this branch of the subject.

The position of Wady Halfa is quite unassailable by any force which the Dervishes could bring against it. The only possible danger consists in the place being turned, as was attempted by the Dervish force under Wad-el-Nejumi last summer.

An Egyptian detachment, I think half a battalion, is stationed at Sarras. Two other detachments, one at Khormoussa and the other at Gemai, are posted between Wady Halfa and Sarras. The former of these detachments occupies a strong circular fort. The detachment at Gemai occupies a small mud inclosure of no considerable strength. Sarras is 32 miles from Wady Halfa. The railway runs for a distance of 22 miles to a spot in the desert which is termed Rail Head.

For the remaining 10 miles communication is kept up on horseback or on camels. The old line of railway is used as a road. Sarras is not in telegraphic communication with Wady Halfa, but the telephone works as far as Khormoussa, which is situated just below the Second Cataract, at a distance of about 5 miles from Halfa. At present a sort of neutral territory, 150 miles long—that is to say, from Sarras to Suardu—separates the Dervishes and the most advanced Egyptian post. This territory, which is very sparsely populated, is at present neither under Egyptian nor under Dervish rule.

Such is the detailed position of the Egyptian force on the frontier. Turning now to its broader features, it is to be observed that the country about and north of Wady Halfa is tolerably flat. The hills sometimes approach, but are more frequently at a considerable distance from, the river. Along either bank there is in most places a strip of cultivated land. But about the Second Cataract the topographical features of the country undergo an entire change. Here begins the tract called by the Arabs the Batn-el-Haggar—literally, "the belly of stone." A more bleak, desolate, and inhospitable country it would be difficult to conceive. I walked to the top of a hill near Sarras. A confused mass of black, barren hillocks extended southwards so far as the eye could see. Cultivation of any kind is confined to a few sparsely scattered patches on the banks of the river. I was informed that for more than 100 miles above the Second Cataract the general features of the country are similar to those which I saw. The country then becomes flatter and more cultivated as Dongola is approached.

Your Lordship is, without doubt, aware that when, some six years ago, the question of evacuating the Soudan arose, the military authorities in England were consulted as to the fixation of the southern frontier of Egypt. They advised that the frontier should be fixed at Wady Halfa. It is impossible to go over the ground without being struck with the wisdom of this advice. In front of the position is the country which I have already described—the barren Batn-el-Haggar. On its right flank is the Libyan, and on its left the Korosko desert, in both of which there is an almost complete absence of water. It would be difficult to imagine any military position more difficult of access by a large attacking force.

Yet I conceive that almost every military position has some weak points. The defects of the Egyptian position in the Nile Valley appear to be as follows:—

In the first place, the distance of the advanced posts from the base of operations in Cairo is very great. In view of the absence of railway communication south of Siout, and the obstacle caused by the First Cataract at Assouan, the work of transport is both difficult and tedious.

In the second place, the Dervishes may advance at a distance from the river on either bank; it is impossible to guard the river along its whole length in force; a sudden irruption of the enemy on any unprotected spot would cut off communication with Assouan and Cairo. That this latter danger is real is shown by the tactics recently adopted by Wad-el-Nejumi.

The attack made by Wad-el-Nejumi was serious, but I cannot help thinking that it represents about the utmost that the Dervishes can do. Any large invading force would have to carry a considerable stock of provisions with it. The difficulties of transport, whether along the right or left bank of the Nile at a distance from the river, or down the river through the Batn-el-Haggar, are enormous, more especially when it is remembered that the Dervishes are in the habit of bringing their women with them to cook, and that the children accompany the women. It is now known that Wad-el-Nejumi's force suffered greatly from hunger and thirst; and, moreover, it is to be remembered that, when once they came in contact with the Egyptian troops, the issue was never for a moment doubtful. After being severely shaken by the brilliant action fought under Colonel Wodehouse at Arguin, they were easily routed at Toski.

I should add that I cannot help thinkng that it will be extremely difficult for Abdullah-el-Taaishi to collect another force to attempt the invasion of Egypt on the same scale as that which took place last summer. I was informed by one of the refugees whom I questioned that such Baggaras as had escaped from Toski had gone to Kordofan, and had refused to fight again.

But Abdullah will advance again if he can. It is almost a political necessity to the leaders of a movement such as Mahdiism that they should not altogether abandon the offensive. Hence it is necessary to be prepared for a further attack, and, inasmuch as no adequate Egyptian reserve exists either at Assouan or at Cairo, the British troops must, for the time being—and, as I venture to think, for some long time to come—constitute the reserve on which to fall back in case of necessity. No military position can be said to be thoroughly strong when all the available troops are employed in the first line of defence.

No. 47.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, December* 28, 1889.

I HAVE communicated a copy of your despatch of the 11th instant to Her Majesty's Secretary of State for War, and I have called his special attention to that part of your Report which deals with the question of the military occupation of positions to the south of Wady Halfa.

I am, &c.
(Signed) SALISBURY.

No. 48.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 30.)

My Lord, *Cairo, December* 17, 1889.

I HAVE the honour to transmit herewith, for your Lordship's information, copy of a telegram received yesterday by General Grenfell from the Acting Governor at Suakin, reporting the arrival of refugees from Tokar, who said that they had left that place on account of the scarcity of food, and adding that letters from Tokar gave some reason for anticipating a cessation of raids on Suakin.

As soon as this telegram had been communicated to me I telegraphed to Her Majesty's Consul at Suakin instructing him to use his influence to prevent anything being done on the Suakin side to encourage raids on Tokar.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 48.

The Acting Governor, Suakin, to Major-General Sir F. Grenfell.

(Telegraphic.) *Suakin, December* 16, 1889.

TEN Arab horsemen arrived from Tokar on 13th, state cause is want of food. Letters from Tokar Emirs to merchants here infer cessation of raiding on Suakin.

No. 49.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 30.)

My Lord, *Cairo, December* 18, 1889.

YOUR Lordship is aware that the Egyptian Government wishes to abolish completely the system of forced labour on the canals. It is proposed to carry this project into execution by imposing a fresh tax on the land, but if the French Government agrees to the conversion of the Preference stock, it will be possible to dispense with any fresh taxation.

I have now the honour to inclose a copy of a letter addressed by Riaz Pasha to the Khedive, which explains the proposed measure more fully.

Briefly, the matter stands thus. The Budget on which the London Convention of 1884 was framed admitted of a certain reduction in the land tax. When the manner of carrying out this reduction came to be discussed in Egypt, it was decided that it would be better, instead of reducing the rates at which the land was assessed, to apply the money available, about 250,000*l.*, to a partial abolition of the corvée, which

also constituted in reality a heavy tax on the land. This was accordingly done. The number of men called out to labour on the canals was largely diminished, and thus great relief was afforded to the population in general.

Unfortunately the sum of money, about 400,000*l.*, which would have been necessary to abolish forced labour completely and to replace it by free labour, was in excess of the amount placed at the disposal of the Egyptian Government by the London Convention, viz., 250,000*l.*

It was necessary, therefore, to continue the corvée system, though on a limited scale.

A further improvement was then made. In some parts of Egypt the people were allowed to purchase exemption from the corvée.

The measure was popular and many people availed themselves of the option of purchase.

But this measure was a mere palliative. The continuance of the system in any form was open to great objections. The tax, whether it was paid in the shape of personal labour or of payment for exemption, fell with undue hardship on the poorer classes. The proprietor of a large estate, if he paid anything at all, paid no more to be exempted from the corvée than the humblest cultivator.

This is manifestly unjust. For several years past many English authorities, notably Sir Colin Scott Moncrieff and the irrigation officers, who have taken a special interest in this subject, have pointed out that the only fair way of regulating payment for exemption was, not to levy anything in the nature of a poll tax on the individual, but to make the payment proportionate to the benefit received from clearing out the canals, in other words, to impose a small additional rate on the land. Up to the present time, however, the opposition to any such measure has been too great to be overcome.

But shortly after my return from England three months ago, Riaz Pasha, on his own initiative, came to me, and, after pointing out the injustice of the present system, told me that he was disposed to abolish the corvée entirely and to obtain the requisite funds by the imposition of a small rate on the land. I told him that I highly approved of the measure, and I warmly encouraged him to take it up. Hence the present proposal. The corvée is to be completely abolished, and in lieu thereof a rate of, on an average, 3 piastres an acre imposed on the land. If, however, the French Government agrees to the conversion project, no new taxation will be necessary, as the economy effected by the conversion will be about equal to the amount required to substitute free for forced labour in the work of clearing out the canals.

I consider this one of the greatest and most beneficial reforms which has yet been accomplished in Egypt. It reflects the greatest credit on the Government of Riaz Pasha, to whose initiative the measure is entirely due. Various English authorities had, indeed, for some time past recognized the necessity of this reform, but its execution would have been practically impossible had it not been heartily taken up by the native Egyptian authorities themselves.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 49.

Riaz Pasha to His Highness the Khedive.

Monseigneur,

LE jour heureux qui a marqué l'avènement de votre auguste Altesse au trône Khédivial, jour mémorable où a commencé pour l'Égypte l'ère des réformes, parmi les questions vitales intéressant au plus haut degré la prospérite du pays et le bien-être de ses populations, questions qui étaient l'objet de la haute sollicitude de votre Altesse, celle se rapportant aux travaux d'utilité publique fixait d'une façon toute spéciale la haute attention de votre Altesse. Il s'agissait, en effet, d'assurer, pendant la crue du Nil, l'irrigation régulière des terres, tout en les protégeant contre l'inondâtion, et de donner aux cultures " séfi " une quantité d'eau suffisante à l'époque de l'étiage. Aussi, suivant les généreuses intentions de votre Altesse, était-il nécessaire de rechercher tous les moyens possibles à l'effet d'entreprendre, au fur et à mesure que les circonstances le permettraient, tous les travaux extraordinaires dont l'exécution serait jugée nécessaire au développement et au progrès de l'agriculture. Il s'agissait, en outre, de savoir s'il était possible de remplacer par un autre système moins onéreux et plus avantageux, le système de la corvée suivi depuis les temps les plus reculés, dans l'exécution des travaux d'utilité publique.

Pour atteindre ce noble but, une assemblée générale fut convoquée, en 1880, au siège du Ministère des Travaux Publics. A cette réunion assistaient plus de 300 Notables, Omdehs et Cheikhs de villes et villages, venus de tous les points de l'Égypte,

ous les Moudirs, un grand nombre de hauts fonctionnaires de l'État, et enfin tous les membres du Cabinet de l'époque.

Après de longues discussions et de mûres délibérations qui se prolongèrent pendant trois jours consécutifs, il fut décidé que le maintien de cet odieux système était malheureusement inévitable.

L'unique cause de cette fatale résolution était, en premier lieu, l'impossibilité absolue de trouver alors des entrepreneurs qui fussent à même d'exécuter tout ou même partie des travaux dont il s'agit ; en second lieu, l'usage des appareils mécaniques n'était pas, à cette époque, assez familier.

C'est donc forcé par les circonstances et contre son gré que le Gouvernement de votre Altesse s'était vu dans la pénible nécessité de maintenir ce système inique. Ne pouvant trouver mieux, le Gouvernement Khédivial dut s'en tenir là provisoirement, en attendant qu'il pût, sinon adopter plus tard un autre système, du moins trouver le moyen d'alléger, sous ce rapport, le lourd fardeau du peuple.

Depuis lors, le pays n'a cessé de nourrir l'espoir que, par des recherches et des études constantes des moyens les plus pratiques à adopter, ainsi que par des essais et des expériences de diverses natures à tenter, le Gouvernement Khédival arriverait, avec le temps, à donner à cette question une solution aussi conforme à l'équité que favorable à l'intérêt public, suivant les généreuses intentions de votre Altesse, et de fait, l'attention la plus sérieuse du Gouvernement Khédival s'était portée sur cette question importante, en vue d'atteindre le but philanthropique et utile poursuivi. Certains travaux avaient même été entrepris dans ce sens.

Le seul avantage qui résulta de la réunion de l'assemblée générale susmentionnée fut la fixation et l'imposition du rachat des prestations aux habitants des villages ("chifliks"), ceux des "hods," "ezbehs," et "kafrs" et ceux des "abadiehs" qui, contrairement aux habitants des autres villages, étaient jusqu'alors exemptés de la prestation.

Si l'assemblée générale avait jugé bon d'étendre cette mesure aux habitants des villages sus-indiqués, c'était uniquement dans un but égalitaire et pour ne pas établir de distinction parmi le peuple ; elle n'avait nullement l'intention d'obliger ces pauvres malheureux, qui gagnent à peine leur pain quotidien, d'exécuter des travaux ou de payer un impôt qui ne profite qu'à des tiers. La pensée qui dicta cette résolution de l'assemblée générale était d'amener les propriétaires des vastes domaines sur lesquels travaillaient ces hommes, à payer pour ces derniers le montant du rachat, afin de ne pas entraver ou arrêter leurs travaux agricoles.

Or, le but visé n'a malheureusement pas été atteint.

Les détails de ce qui eut lieu alors et dans la suite relativement à cette question se trouvent suffisamment indiqués dans les Rapports précédemment soumis à votre Altesse.

Le résultat définitif obtenu fut l'adoption du système qui demeura en vigueur jusqu'à ce jour, en vertu du Décret rendu par votre Altesse en date du 25 Janvier, 1881, système d'après lequel tous les indigènes, sauf quelques exceptions peu importantes, doivent personnellement ou la prestation en nature ou le rachat.

Il est vrai que dans les derniers temps, grâce aux efforts constants du Gouvernement de votre Altesse et aux mesures prises par lui, l'introduction dans le système en question de certaines modifications connues, a eu pour conséquence d'améliorer l'ancien état de choses et d'en adoucir, dans une certaine mesure, les rigueurs. Cette amélioration s'est fait surtout sentir depuis qu'un crédit annuel de £ E. 250,000 a été accordé pour alléger les charges de la prestation.

Mais il n'en est pas moins certain, mon dévouement sincère envers votre Altesse me fait un devoir de le déclarer, que les vestiges et les effets de ce système onéreux n'ont pas encore complètement disparu. La prestation n'a pas été réglée d'une façon équitable ; elle porte toujours en elle le germe de l'arbitraire, les empreintes de l'inégalité et de l'injustice, faits qui sont en contradiction directe avec les sentiments d'équité de votre Altesse, et qui répugnent au bon sens.

Tandis qu'en effet, la majeure partie du peuple supporte le lourd et humiliant fardeau de la corvée, ce sont les riches et les propriétaires des vastes domaines qui profitent réellement des avantages résultant, soit des travaux exécutés par les pauvres malheureux, soit du rachat que ceux-ci paient.

Non contents de bénéficier seuls de ces avantages, les riches sont les premiers à se plaindre et à jeter les hauts cris si l'eau, ne fût-ce qu'un instant, vient à diminuer tant soit peut sur leurs terres.

En outre, les difficultés, les entraves, et les obstacles de toute sorte que le Gouvernement Khédivial et ses agents rencontrent dans l'application et la mise à exécution de ce système inique, d'une façon conforme autant que possible aux principes de justice et d'équité, d'une part ; la nécessité d'exécuter, en temps voulu, les travaux

d'utilité publique dont dépend la vie du pays, d'autre part, sont un sujet d'embarras et de soucis constants et pénibles pour le Gouvernement de votre Altesse.

Tels ne sont pas les seuls inconvénients du système en question; il en présente bien d'autres encore dont l'énumération serait trop longue.

Au reste, est-il juste et équitable d'obliger les habitants des villages ("chifliks"), "kafrs," "hods," "ezbehs," "abadiehs," ainsi que ceux des autres villages qui ne possèdent aucune parcelle de terre ou ceux qui n'ont que de 1 feddan jusqu'à 10, est-il équitable de les obliger à supporter le fardeau de la prestation ou d'en payer le rachat à raison de P. E. 40 par homme pour la Basse-Égypte et de P. E. 30 pour la Haute-Égypte, alors que les riches et les grands propriétaires qui possèdent des centaines et des milliers de feddans profitent largement et paisiblement, sans supporter presque aucune charge, des fruits et des avantages résultant des travaux ou des contibutions imposés à ces malheureux? Évidemment non.

Cet état de choses est on ne peut plus injuste. Je ne citerai qu'un exemple à l'appui de ce qui précède: le montant du rachat des prestations versé au Trésor par l'Administration des Domaines est retenu par cette dernière sur les salaires des hommes qui travaillent sur ses terres.

Or, si le Gouvernement Khédivial a jadis et dernièrement cru devoir suivre ce système, c'est parce qu'il y était contraint par la force des choses. Il ne disposait, en effet, d'aucun autre moyen qui pût remplacer la corvée dans l'exécution de ces travaux, sans lesquels le mal serait devenu plus grand et plus dangereux.

Mais aujourd'hui, sous les hauts auspices de votre Altesse, et grâce à sa sollicitude bienveillante, le Gouvernement Khédivial, par les moyens pratiques dont il dispose, est sûr, non seulement de faire exécuter les travaux annuels par voie d'entreprise et au moyen des appareils mécaniques, mais aussi de pouvoir entreprendre d'énormes travaux extraordinares d'une très grande importance.

Les avantages du système des entreprises sont trop considérables et trop évidents pour qu'ils soient ignorés. Nul ne saurait nier ce fait.

En premier lieu, ceux des indigènes qui entreprennent ces travaux sont absolument libres de les exécuter ou non moyennant un prix déterminé, aucune contrainte n'étant employée à ce sujet à leur égard.

En second lieu, les habitants des villes et vilages, ainsi que les cultivateurs, peuvent se livrer paisiblement à leurs travaux agricoles. Ils ne sont plus, ainsi que par le passé, menés à la corvée comme des troupeaux de moutons, en pleine saison de récolte ou de cultures de toute espèce ou aux époques de l'irrigation des terres. Ils étaient alors arrachés à leurs cultures qui, faute de bras et de soins, subissaient des dommages et des pertes très considérables.

Enfin, les sommes énormes actuellement payées, ou qu'il y aurait lieu de payer, pour ses entreprises sont presque totalement distribuées aux indigènes, qui en profitent.

A cet effet, je me bornerai à citer un seul exemple:

Nul n'ignore la sécheresse que les provinces de la Haute-Égypte, et notamment celles de Keneh, Esneh, et Ghirgeh, ont éprouvée l'année dernière. Or, sans le secours des sommes dépensées par le Ministère des Travaux Publics pour les travaux qu'il fit exécuter dans ces trois Moudiriehs, sommes dont le montant s'élève á £ E. 100,000 environ, et fut réparti parmi les habitants des dites provinces, ces derniers auraient enduré les souffrances atroces de la famine à un degré aussi lamentable que dans les années analogues antérieures. Cet exemple peut s'appliquer d'une façon générale aux autres provinces.

Pour toutes ces considérations, il devient maintenant aussi inopportun qu'impossible de maintenir le système de la corvée, et la nécessité s'impose de remplacer ce système par un autre plus conforme à la justice et à l'équité.

C'est dans ce but que je crois devoir soumettre à la haute approbation de votre Altesse le projet de Décret ci-annexé, portant l'abolition totale et définitive de la corvée dans toute l'Égypte, et établissant sur les terres, à titre de rachat de prestation, la taxe spéciale indiquée au projet sus-visé. Afin que votre Altesse soit persuadée que le Gouvernement Khédivial ne vise, par ce projet, aucun avantage financier, je crois devoir lui exposer que la somme totale qui résultera du nouveau système projeté s'élèvera à £ E. 150,000.

La somme perçue à titre de rachat de prestation, d'après l'ancien système, s'élève à £ E. 110,000, ce qui laisse une différence de £ E. 40,000.

Cette différence se trouve représentée par la taxe annuelle, à supprimer, du Canal Ibrahimieh, qui s'élève pour l'année courante à £ E. 24,000, et par le montant de la nouvelle taxe spéciale incombant aux terres de Domaines et de la Daïra Sanieh, et qui, en fait, reste à la charge du Trésor, complétant ainsi la somme précitée de £ E. 150,000.

En daignant sanctionner le projet de Décret ci-annexé, votre Altesse donnera encore une preuve nouvelle et impérissable de sa haute et constante sollicitude pour le bien-être de son peuple.

J'ai, &c.
(Signé) RIAZ.

(Translation.)

Sir,

ON the happy and memorable day which marked the accession of your Highness to the Khedivial Throne, and the inauguration of an era of reform in Egypt, your Highness' attention was especially drawn—among the vital questions which concern in the highest degree the prosperity of the country and the well-being of its populations, and which were the object of your Highness' solicitude—to the question of works of public utility. The point in question was, as a matter of fact, to insure the regular irrigation of the lands, by protecting them during the rising of the Nile against inundation, and by supplying the "séfi" cultures with a sufficient quantity of water during the period of low water. It was, in accordance with your Highness' generous intentions, necessary to search for every possible means of undertaking, according as circumstances permitted, all such extraordinary works as were deemed essential to the development and progress of agriculture. It was further necessary to ascertain whether it would be possible to replace, by a more advantageous and less burdensome system, the system of "corvée," which, from the remotest times, had been in use in the execution of public works.

In order to attain this noble end, a General Assembly was convened in 1880, at the Ministry of Public Works. There were present at this Assembly more than 300 Notables, Omdehs, and Sheikhs of towns and villages from all points of Egypt, all the Mudirs, a large number of high functionaries of State, and, lastly, all the members of the Cabinet of the day.

After long discussions and mature deliberations, which lasted for three consecutive days, it was decided that the maintenance of this odious system was unfortunately inevitable.

The sole cause of this fatal resolution was, in the first place, the absolute impossibility of finding at that time contractors capable of undertaking the whole, or even a part of the works in question; in the second place, the existing want of familiarity with the use of mechanical appliances.

It was, therefore, under the pressure of circumstances and against its wish, that your Highness' Government was under the painful necessity of maintaining this iniquitous system, unable to find a better solution. The Khedivial Government was forced to let matters remain provisionally as they were, in the hope of being able later on to adopt another system, or at least to find means of alleviating in this respect the heavy burden of the people.

Since that time the country has never ceased cherishing the hope that the Khedivial Government would, by constant researches and studies of the most practical means to be adopted, and by trying experiments of various kinds, arrive in time at a solution of this question which would be compatible with what both equity and the interests of the public required, according to your Highness' generous intentions. As a matter of fact, the Khedivial Government had given its most serious attention to this important question, with a view of attaining the philanthropic and useful ends which were being sought. Certain works had even been undertaken in this sense.

The sole advantage which resulted from the sittings of the above-mentioned General Assembly was the assessment and imposition of the service exemption tax on the inhabitants of the villages ("chifliks"), *i.e.*, the "hods," "ezbehs," "kafrs," and "abadiehs" who, in contradistinction to the inhabitants of the other villages, had up till then enjoyed immunity from obligatory service.

If the General Assembly thought fit to extend this measure to the inhabitants of the above-mentioned villages, it was only with a view of making all equal before the law, and of avoiding the sanction of exemptions. They never had the intention of obliging these poor people, who can scarcely gain their daily bread, to labour at works or to pay taxes which only profit third parties. This resolution of the General Assembly was dictated by the idea, that the proprietors of the vast domains on which these men work would be induced to pay for them the amount of the exemption tax, so as not to interrupt or stop their agricultural employments.

The object in view was unfortunately not attained.

The details of what took place then and subsequently with respect to this question are sufficiently indicated in the Reports which have been already submitted to your Highness.

The definite result consisted in the adoption of the system which remained in force until now in virtue of the Decree signed by your Highness on the 25th January, 1881, a system according to which all the inhabitants, with a few unimportant exceptions, must render either service in person, or must buy exemption from it.

It is true that in recent times, thanks to the constant endeavours of your Highness' Government, and to the measures taken by them, the introduction of certain well-known modifications in the system in question has resulted in ameliorating the old state of things, and in diminishing, to a certain degree, its rigour. This amelioration has been more especially felt since an annual sum of £ E. 250,000 has been devoted to alleviate the burdens of personal service.

But it is none the less certain, and my sincere devotion to your Highness makes it incumbent on me to say so, that the vestiges and effects of this burdensome system have not yet entirely disappeared. Personal service has not been regulated in an equitable way, and still carries with it the germs of arbitrariness and the imprint of inequality and injustice, which are in direct contradiction to your Highness' sentiments of equity, and are repugnant to common sense.

Whilst in reality the majority of the people bear the heavy and humiliating burden of the corvée, it is the rich people and the proprietors of vast domains who really profit by the advantages which accrue either from the works undertaken by the poor people, or by the redemption tax which these latter pay.

Not content with being the only ones to benefit by these advantages, the rich people are the first to complain and cry out if the water diminishes on their lands, even though the deficiencies may be slight and of short duration.

Furthermore, the difficulties, hindrances, and obstacles of all kinds by which the Khedivial Government is met in its endeavours to apply and put in force this iniquitous system in a manner as conformable as possible with principles of justice and equity on the one hand, and on the other, the necessity of carrying out within a given time the works of public utility on which the existence of the country depends, are a source of embarrassment as well as of constant and painful anxiety to the Government of your Highness.

The above are not the only inconveniences of the system; there are many others, the enumeration of which would be too long.

Is it just or equitable to force the inhabitants of the villages ("chifliks"), "kafrs," "hods," "ezbehs," "abadiehs," and such inhabitants of the other villages as do not possess a particle of land, or who only own from one to ten feddans, is it equitable to oblige them to support the burden of personal service, or to purchase redemption at the rate of P. E. 40 per person in Lower Egypt and P. E. 30 for Upper Egypt, while rich people and large proprietors, who own hundreds and thousands of feddans, profit largely and peacefully, while paying merely nominal dues, by the advantages which accrue from the labour of or the contributions imposed on these unhappy people? Evidently not.

Nothing can be more unjust than this state of things. I will only cite one example in corroboration of what is said above. The amount of the redemption tax paid into the Treasury by the Domains Administration is deducted by the latter from the wages of the men who work on the lands of the Administration.

If the Khedivial Government has formerly and recently thought proper to follow this system, it was because it was obliged by the force of circumstances to do so. It possessed, as a matter of fact, no means of replacing the corvée in the execution of works necessary to prevent still greater evils and dangers.

But to-day, under your Highness' auspices, and thanks to your benevolent solicitude, the Khedivial Government, with the practical means which are at its disposal, is able not only to carry out annual works by means of contractors and mechanical appliances, but to undertake enormous works of an extraordinary nature and of great importance.

The advantages of a system of contracts are too considerable and palpable to be ignored. No one can deny this.

In the first place, those natives who undertake such contract works are free to accept or refuse the contract, no pressure being brought to bear on them in the matter.

In the second place, the inhabitants of the towns and villages, as well as the cultivators, are able to carry on their agricultural labours in peace. They are no longer, as in past times, led like a flock of sheep to forced labour in the middle of the harvest, or of cultivation of any sort, or at the times when the lands are being irrigated. They used to be torn from their crops, which, from want of hands and attention, suffered considerable damage and loss.

Lastly, the enormous sums which are or which may be spent upon these

contracts are almost entirely distributed amongst the population which profits by them.

I will confine myself to citing one instance in proof of this:

No one is ignorant of the drought which the provinces of Upper Egypt, especially those of Keneh, Esneh, and Ghirgeh, experienced last year. Well, these provinces would have endured the atrocious sufferings of famine in a degree as lamentable as that they suffered in former analogous years, but for the assistance of the sums expended by the Ministry of Public Works on the works which they caused to be carried out in these three Mudiriehs, the cost of which amounted to £ E. 100,000, which was distributed among the inhabitants of the above-mentioned provinces. This example can be applied in a general way to other provinces.

From all these considerations, it has become both inopportune and impossible to maintain the system of the "corvée," and it has become necessary to replace this system by another one more in conformity with justice and equity.

It is with this object that I deem it my duty to submit, for the approval of your Highness, the annexed draft of a Decree which totally and definitively abolishes the corvée throughout Egypt, and establishes, as indicated in the above-mentioned draft, a special land tax in lieu of redemption from forced labour. In order that your Highness may be assured that the Khedivial Government contemplates no financial advantage from this project, I think it right to point out that the total receipts under the new system will amount to £ E. 150,000.

Under the old system the receipts from the redemption payments amounted to £ E. 110,000, leaving a difference of £ E. 40,000.

This difference is represented by the abolition of the annual tax on the Ibrahimieh Canal, which amounts, for the current year, to £ E. 24,000, and by the new special tax which is levied on the Domains and Daïra Sanieh lands, and which latter in fact remains at the charge of the Treasury, thus completing the above-mentioned sum of £ E. 150,000.

By deigning to sanction the annexed draft Decree, your Highness will give a new and imperishable proof of your constant solicitude for the welfare of your people.

I have, &c.

(Signed) RIAZ.

No. 50.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 30.)

(Extract.) *Cairo, December* 20, 1889.

SINCE Colonel Holled Smith's arrival here a few days ago I have had some conversation with him on the subject of Suakin affairs generally.

I should, in the first instance, explain, with reference to your Lordship's telegram of the 14th instant, that Colonel Holled Smith fully understands that he is not to occupy Tokar, or, indeed, take any step of importance without reference to Cairo. For the time being, at all events, there can be no question of occupying Tokar.

I discussed with Colonel Holled Smith the circumstances reported in Mr. Barnham's letter of the 26th November (see inclosure to my despatch of the 6th instant). As usually happens in dealing with the details of the Suakin situation, there is a good deal of divergence between the statements of the various local authorities. Mr. Barnham appeared to think that the recent raid on Tokar was in some degree encouraged by the Suakin authorities, and that Onoor Anvie, the leader of the raid, was in the pay of the Egyptian Government.

On the other hand, Colonel Holled Smith assures me most positively that he is entirely opposed to these raids, that he has done nothing whatever to encourage them, and that all the help he afforded to Onoor Anvie was limited to a small quantity of grain, which, he says, he always gives to persons who come into Suakin in a state of destitution.

I urged strongly on Colonel Holled Smith that these intertribal raids should be discouraged. They can be of no sort of use in pacifying the Soudan, and their only effect is to paralyze trade and to perpetuate a state of disturbance. Colonel Holled Smith assured me that he fully agreed in this view.

Trade is now open from Suakin, Agig, and Trinkitat. Mr. Wylde has concluded Agreements, on behalf of the Soudan Trading Company, with the principal Sheikhs on the Suakin-Berber road, and hopes soon to come to similar Agreements with those on the Suakin-Kassala road, He has also induced the people in the Tokar district to cultivate cotton.

I should add that Colonel Holled Smith thinks that Mahdiism is certainly dying

out in the Eastern Soudan. The Hadendowas are no longer partizans of the Mahdi. Colonel Holled Smith confirmed what I had heard at Wady Halfa (see my despatch of the 11th instant) that the Jaalins were inclined to abandon the Khalifa. The Baggaras alone remain. This tribe is not indigenous to the Eastern Soudan, but a few of them who came from a distance to join in the attack on Suakin last year still remain at Tokar.

On the whole, I think that some slight advance towards the pacification of the Eastern Soudan is perceptible.

Though it is at present very slight, the prospects look rather more hopeful than was previously the case.

No. 51.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, January* 1, 1890.

I HAVE received your despatch of the 17th ultimo, and approve your having instructed Mr. Consul Barnham to use his influence to prevent the Egyptian military authorities at Suakin encouraging raids on Tokar.

I am, &c.
(Signed) SALISBURY.

No. 52.

Sir E. Baring to the Marquis of Salisbury.—(Received by telegraph, January 2.)

My Lord, *Cairo, January* 2, 1890.

I HAVE the honour to inclose herewith copy of a Circular note, dated the 31st ultimo, which the Egyptian Government have addressed to the Powers asking their consent to the professional tax on Europeans. In this note is inclosed a draft Law,* to which the Commissioners of the Caisse have unanimously agreed.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 52.

Zulfikar Pasha to Sir E. Baring.

(Circulaire.)

M. le Ministre, *Le Caire, le* 31 *Décembre*, 1889.

A LA suite de ma Circulaire du 7 Novembre, 1887, vous avez bien voulu informer ce Département, par votre dépêche du 25 Décembre suivant, que le Gouvernement de Sa Majesté consentait à confier à MM. le Commissaires de la Caisse de la Dette Publique le soin d'étudier, d'accord avec le Gouvernement Égyptien, les Projets de Loi concernant l'établissement des taxes sur le timbre et les patentes acceptées, en principe, par les Puissances Signataires de la Convention de Londres du 18 Mars, 1885.

En conséquence de cet assentiment un projet relatif aux patentes a été élaboré par le Gouvernement de Son Altesse, conjointement avec MM. les Commissaires de la Dette, et c'est ce travail, adopté à l'unanimité, dont j'ai l'honneur, M. le Ministre, de vous adresser ci-joint quatre exemplaires imprimés.

Le Gouvernement de Son Altesse pense que la modération des taxes proposées ne saurait échapper à tout examen impartial et, en vous transmettant ce projet, j'ai recours à vos obligeants offices, M. le Ministre, pour obtenir l'adhésion définitive du Gouvernement de Sa Majesté en vue de rendre les dispositions du Décret à promulguer applicables à vos nationaux.

Je me réserve de vous saisir prochainement du Projet de Loi sur le timbre et vous prie, &c.

(Signé) ZULFIKAR.

(Circular.) (Translation.)

M. le Ministre, *Cairo, December* 31, 1889.

IN reply to my Circular of the 7th November, 1887, you informed this Department, in your despatch of the 25th of the following month of December, that the Government of Her Majesty consented to the Commissioners of the Caisse of the Public Debt undertaking, in concert with the Government of Egypt, the preparation of draft laws for the taxation of stamps and patents, which had been agreed to in principle by the Powers who signed the Convention of London of the 18th March, 1885.

In consequence of this assent a draft relative to patents has been drawn up by the

* Not printed.

Government of His Highness, in communication with the Commissioners of the Debt, and it is this work, unanimously adopted, of which I have now the honour to forward to you four printed copies.

The Government of His Highness believe that an impartial examination will do justice to the moderate amount of the proposed taxes, and in forwarding to you the draft, I request your good offices, M. le Ministre, with a view to obtain the definitive adhesion of your Government, in order that the provisions of the proposed Decree may be made applicable to your countrymen.

I propose soon to communicate to you a draft Law for stamp duties, andremain, &c.

(Signed) ZULFIKAR,

No. 53.

The Marquis of Salisbury to Sir E. Baring.

(Telegraphic.) *Foreign Office, January* 3, 1890, 7·10 P.M

YOU may signify assent of Her Majesty's Government to the professional tax on Europeans.

No. 54.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 6, 1890.)

My Lord, *Cairo, December* 24, 1889.

WITH reference to my despatch of the 18th instant, reporting on the scheme for the total abolition of the corvée in Egypt, and inclosing copy of an official Report on the subject addressed to His Highness the Khedive by Riaz Pasha, I have now the honour to inclose copy of a Khedivial Decree, which was published in yesterday's "Official Journal," giving effect to this measure, and totally suppressing the whole system of corvée in Egypt, substituting in lieu thereof a small additional tax on land, which is not to exceed 4½ piastres tarif per feddan.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 54.

Extract from the "Journal Officiel" of December 21, 1889.

Décret.

NOUS, Khédive d'Égypte,

Sur la proposition de notre Conseil des Ministres ;

Vu la délibération de l'Assemblée Générale ;

Décrétons :

Article 1er. La corvée est supprimée dans toute l'Égypte.

Art. 2. Le gardiennage et la surveillance des digues et autres ouvrages, ainsi que les travaux d'urgence en cas de danger pendant la crue du nil, continuent à rester à la charge de la population.

Art. 3. La corvée ainsi que le rachat des prestations sont remplacés par l'établissement, tant sur les terres "ouchouri" que sur les terres "kharadji," d'une taxe spéciale d'un maximum de 4½ piastres tarif par feddan, dont le produit total ne devra pas dépasser £ E. 150,000 par an.

La répartition de cette taxe sera faite par un Décret ultérieur, rendu sur la proposition de notre Conseil des Ministres, le Conseil Législatif entendu.

Art. 4. Le produit de cette taxe spéciale sera, avec l'autorisation de MM. les Commissaires de la Dette, employé dans les conditions prescrites par notre Décret du 14 Juin, 1889, pour la somme de £ E. 250,000 prévue au dit Décret.

Art. 5. Nos Ministres des Finances et des Travaux Publics sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais d'Abdin, le 25 Rabi-Aker, 1307 (19 Décembre, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :

Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) RIAZ.

Le Ministre des Travaux Publics,
(Signé) MOHAMED ZÉKI.

(Translation.)

Decree.

WE, Khedive of Egypt,
At the instance of our Council of Ministers;
And in view of the deliberations of the General Assembly;

Decree:

Article 1. The corvée is suppressed throughout Egypt.

Art. 2. The guardianship and charge over the dykes and other works, as well as all urgent measures in case of danger owing to the rise of the Nile, shall continue to be carried out at the expense of the inhabitants.

Art. 3. The corvée and redemption tax are replaced by the establishment, both on "ouchouri" and "kharadji" lands, of a special tax with a maximum tariff of 4½ piastres per feddan, the total produce of which shall not exceed £ E. 150,000 per annum.

The assessment of this tax shall be made by a further Decree, issued on the proposal of our Council of Ministers after consideration by the Legislative Council.

Art. 4. The produce of this special tax shall, with the authority of the Commissioners of the Debt, be employed under the conditions prescribed by our Decree of the 14th June, 1889, for the sum of £ E. 250,000 provided for in the said Decree.

Art. 5. Our Ministers of Finance and Public Works are charged, in so far as they are each concerned, with the execution of the present Decree.

Done at the Palace of Abdin, the 25th Rabi-Aker, 1307 (19th December, 1889).

(Signed) MÉHÉMET TEWFIK.

By the Khédive:
The President of the Council of Ministers,
The Minister of Finance,
(Signed) Riaz.
The Minister of Public Works,
(Signed) Mohamed Zéki.

No. 55.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, January* 9, 1890.

I HAVE received and laid before the Queen your despatch of the 18th ultimo, inclosing a copy of a letter which Riaz Pasha has addressed to the Khedive, explaining the measures which it is proposed to take for the complete abolition of forced labour in Egypt.

I concur in your opinion, that Riaz Pasha and his colleagues deserve the greatest credit for initiating so beneficent a reform, and I should wish you to express on behalf of Her Majesty's Government their high appreciation of his enlightened views, the carrying out of which cannot fail greatly to benefit the Fellaheen.

Her Majesty's Government are glad to feel that the measure which Riaz Pasha contemplates has been facilitated by the services rendered to Egypt by the officers of the Irrigation Department.

I am, &c.
(Signed) SALISBURY.

No. 56.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, January* 9, 1890.

I HAVE received your despatch of the 20th ultimo, upon the subject of the state of affairs in the neighbourhood of Suakin and in the Eastern Soudan generally.

I approve of your having impressed upon Colonel Holled Smith the necessity of discouraging all intertribal raidings.

I am, &c.
(Signed) SALISBURY.

No. 57.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 13.)

My Lord, *Cairo, January* 2, 1890.

I HAVE the honour to transmit herewith two extracts from the "Journal Officiel" of yesterday's date, announcing the abolition of the "octroi" duties on rice, and the suppression of the weighing dues respectively.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 57.

Extract from the "Journal Officiel" of January 1, 1890.

(Traduction.)

NOUS, Khédive d'Égypte,

Vu les Règlement et Tarif du droit d'octroi;

Vu l'avis conforme de MM. les Commissaires de la Caisse de la Dette Publique;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

Décrétons:

Article 1er. A partir du 1er Janvier, 1890, le riz est affranchi du droit d'octroi.

Art. 2. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Hélouan, le 8 Gamad-Ewal, 1307 (31 Décembre, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:
Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) RIAZ.

(Translation.)

(Translation.)

WE, Khedive of Egypt,

Considering the Regulations and Tariff of the octroi duty;

And with the assent of the Commissioners of the Public Debt;

At the instance of our Finance Minister, agreed to by our Council of Ministers;

Decree:

Article 1. Dating from the 1st January, 1890, rice is free of all octroi duty.

Art. 2. Our Finance Minister is charged with execution of the present Decree.

Done at the Palace of Hélouan, the 8th Gamad-Ewal, 1307 (31st December, 1889).

(Signed) MÉHÉMET TEWFIK.

By the Khédive:
The President of the Council of Ministers,
Minister of Finance,
(Signed) RIAZ.

Inclosure 2 in No. 57.

Extract from the "Journal Officiel" of January 1, 1890.

(Traduction.)

NOUS, Khédive d'Égypte,

Vu les Règlements relatifs au pesage;

Vu notre Décret du 17 Janvier, 1880;

Vu l'avis conforme de MM. les Commissaires de la Caisse de la Dette Publique;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

Décrétons :

Article 1er. A partir du 1er Janvier, 1890, la profession de peseur sera libre.

Art. 2. A partir de la même date les droits de pesage perçus au profit de l'état sont supprimés.

Art. 3. Sont expressément rapportées, en ce qui concerne le pesage de marchandises, toutes les obligations précédemment imposées au commerce, ainsi que les interdictions relatives à la détention d'instruments de pesage par des particuliers.

Art. 4. Nos Ministres de l'Intérieur et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais d'Hélouan, le 8 Gamad-Ewel, 1307 (31 Décembre, 1889).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre de l'Intérieur et des Finances,
(Signé) RIAZ.

(Translation.)

(Translation.)

WE, Khedive of Egypt,

Considering the Regulations concerning weighing dues ;

Considering our Decree of the 17th January, 1880 ;

And with the assent of the Commissioners of the Public Debt ;

At the instance of our Finance Minister, agreed to by our Council of Ministers ;

Decree :

Article 1. Dating from the 1st January, 1890, the profession of weigher shall be free.

Art. 2. From the same date weighing dues levied on account of the State are suppressed.

Art. 3. All obligations heretofore imposed on commerce, as well as prohibitions relative to the possession of weighing instruments by private persons, are expressly annulled.

Art. 4. Our Ministers of the Interior and of Finance are charged, with the execution of the present Decree, so far as it concerns each.

Done at the Palace of Hélouan, the 8th Gamad-Ewel, 1307 (31st December, 1889).

(Signed) MÉHÉMET TEWFIK.

By the Khédive :
The President of the Council of Ministers,
Minister of the Interior and Finance,
(Signed) RIAZ.

No. 58.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 20.)

My Lord, *Cairo, January* 7, 1890.

I HAVE the honour to report that a Decree appeared in the "Journal Officiel" of yesterday with regard to the institution of a Municipality at Alexandria.

The Egyptian Government have been able to issue this Decree in consequence of all the Powers having given their assent to the imposition of certain taxes and to other Regulations necessary for the formation of the Municipality.

I have, &c.
(Signed) E. BARING.

No. 59.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 20.)

(Extract.) *Cairo, January* 9, 1890.

I INCLOSE herewith copy of a Khedivial Order which was published in yesterday's "Journal Officiel," in which His Highness exercises his prerogative

of mercy, and remits the sentences pronounced against twenty-five persons now confined in the prisons of Behera, Minieh, Girgeh, and Keneh.

Inclosure in No. 59.

Extract from the "Journal Officiel" of January 8, 1890.

Ordonnance Khédiviale transmise pour exécution à son Excellence le Ministre de l'Intérieur, à la date du 12 *Gamad-el-Ewel,* 1307 (4 *Janvier,* 1890).

NOUS avons pris communication de la lettre datée du 8 Gamad-Ewel, 1307 (31 Décembre, 1889), par laquelle vous sollicitez de notre bienveillance la remise des peines prononcées contre les vingt-cinq individus détenus dans les prisons de Béhéra, de Minieh, de Guirgueh, et de Keneh, en vertu d'un Jugement, rendu en matière criminelle, par l'ancien Meglis-el-Ahkam, d'une décision de la Commission de la répression du brigandage de la Haute-Égypte et de celle de la Commission Suprême, les condamnant à l'emprisonnement à perpétuité et à temps.

Vous ajoutez que ces individus ont déjà subi une partie de leur peine, qu'ils sont avancés en âge et faibles de corps.

Cédant aux sentiments de bonté qui nous animent à l'égard de notre peuple, nous ordonnons que remise leur soit faite du restant de leur condamnation.

Nous vous transmettons, en conséquence, la présente Ordonnance afin que vous lui donniez la suite qu'elle comporte.

(Translation.)

Khedivial Decree transmitted for Execution to his Excellency the Minister of the Interior, dated the 12*th Gamad-el-Ewel,* 1307 (*January* 4, 1890).

WE have received the letter dated the 8th Gamad-Ewel, 1307 (31st December, 1889), in which you appeal to our clemency to remit the sentences passed upon the twenty-five persons confined in the prisons of Béhéra, Minieh, Guirgueh, and Keneh, in pursuance of a Judgment delivered in a criminal matter by the late Meglis-el-Ahkam, of a decision of the Commission for the repression of brigandage in Upper Egypt, and of a decision of the High Commission, sentencing them to imprisonment for life, or for a term of years.

You add that these persons have already worked out a portion of their sentences, and that they are advanced in years and in failing health.

Actuated by a constant desire for the good of our people, we order the remainder of their sentences to be remitted.

We accordingly transmit to you the present Decree, in order that you may take the proper steps for its execution.

No. 60.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 20.)

My Lord, *Cairo, January* 9, 1890.

YOUR Lordship has been made aware by previous correspondence of the proposal to deepen the entrance to the harbour of Alexandria.

I have now the honour to inclose copy of a Khedivial Decree published in yesterday's "Journal Officiel," placing on record the decision of the Egyptian Government to carry out this scheme, and to make at an expense of £ E. 60,000 an entrance into the harbour 30 feet deep and 300 feet in width.

The Decree provides that one half of this expenditure is to be borne by the vessels making use of Alexandria Harbour, and a special tax of $1\frac{1}{4}$ millièmes per ton will be paid by all vessels both on entering and on leaving the harbour.

Ships of war will be exempt from this tax, which moreover will not be levied on any vessels until the new channel is completed, *i.e.*, two years hence.

The tax is to cease on the repayment of the sum of £ E. 30,000, together with

interest calculated at 5 per cent., and every six months a Statement of the receipt brought by this tax will be published by the Government.

The new channel is to be lighted at the expense of the Egyptian Government.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 60.

Extract from the "Journal Officiel" of January 8, 1890.

Décret.

NOUS, Khédive d'Égypte,

Considérant que, dans l'intérêt du commerce et de la navigation et afin de faciliter le passage des navires en tout temps, il a été décidé de creuser dans les passes du port d'Alexandrie un chenal de navigation de 30 pieds de profondeur, sur 300 pieds de largeur;

Que la dépense, s'élevant à £ E. 60,000 doit être supportée pour moitié, soit £ E. 30,000, par la navigation;

Que l'avance de la somme totale devant être faite par le Gouvernement, et le remboursement de la moitié mise à la charge des Compagnies ne devant commencer qu'après l'achèvement des travaux, soit après deux ans, il y a lieu d'ajouter à la somme de £ E. 30,000 ci-dessus celle de £ E. 3,000 représentant les intérêts de la dite somme pendant deux ans;

Sur la proposition de notre Ministre des Finances, l'avis conforme de notre Conseil des Ministres, et avec l'assentiment des Puissances;

Décrétons:

Article 1er. A partir du jour où le nouveau chenal sera ouvert à la navigation, il sera perçu, contre suppression du droit actuel de pilotage, une taxe spéciale d'un millième et quart (5 paras) par tonne usuelle de jauge, tant à l'entrée qu'à la sortie du port d'Alexandrie.

Sont toutefois exemptés de cette taxte les bâtiments de guerre.

Art. 2. Le paiement de cette taxe sera exigible des Compagnies de Navigation, tant indigènes qu'étrangères.

Art. 3. La perception de la dite taxe cessera de plein droit le jour où cette somme de £ E. 33,000 en capital et intérêts à 5 pour cent l'an, aura été complètement remboursée.

Art. 4. Il sera publié tous les six mois, sous une rubrique spéciale, un État des recettes provenant de la taxe établie par l'Article 1er.

Art. 5. Le nouveau chenal sera éclairé en tout temps par les soins et aux frais du Gouvernement.

Art. 6. Nos Ministres des Finances et des Travaux Publics sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais d'Abdin, le 7 Janvier, 1890 (15 Gamad-Ewel, 1307).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:

Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) Riaz.

Le Ministre des Travaux Publics,
(Signé) Mohamed Zéki.

(Translation.)

Decree.

WE, Khedive of Egypt,

Whereas it has been decided, in the interests of commerce and navigation, and in order to facilitate the passage of ships at all times, to dig at the entrance to the Harbour of Alexandria a deep-water channel 30 feet deep and 300 feet broad;

That the outlay, estimated at £ E. 60,000, shall be borne to the extent of one-half, that is £ E. 30,000, by the shipping;

That as the Government is to advance the whole amount, and as the payment of the moiety to be charged to the Companies will only commence after the works have been completed, that is, two years hence, the sum of £ E. 3,000, representing the interest for two years on the sum of £ E. 30,000 mentioned, shall be added to that sum;

Now, we, on the proposal of our Minister of Finance, in conformity with the views of our Council of Ministers, and with the assent of the Powers;

Decree:

Article 1. On and after the day on which the new channel is open to shipping there shall be levied, in the place of the present pilotage dues which shall no longer be collected, a special tax of one millième and a-quarter (5 paras) per ton of ordinary measurement on vessels entering or leaving the port of Alexandria.

Vessels of war, however, will be exempted from paying this tax.

Art. 2. This tax shall be paid by native and foreign Navigation Companies.

Art. 3. The levy of the due shall cease by right as soon as the above-mentioned sum of £ E. 33,000, capital and interest at 5 per cent. per annum, has been repaid in full.

Art. 4. There shall be published every six months, under a separate heading, a Statement of the receipts obtained from the tax established by Article 1.

Art. 5. The new channel shall be lighted at all times by the Government, at their own expense.

Art. 6. Our Ministers of Finance and of Public Works are charged with the execution of the present Decree, each in so far as he is concerned.

Given at the Palace of Abdin, the 7th January, 1890 (15 Gamad-Ewel, 1307).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

The President of the Council of Ministers,
Minister of Finance,
(Signed) RIAZ.

The Minister of Public Works,
(Signed) MOHAMED ZÉKI.

No. 61.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 20.)

My Lord, *Cairo, January* 9, 1890.

I HAVE the honour to inclose a statement showing the progress made in 1889 in the commutation of pensions. Your Lordship will observe that 551 pensions of the annual value of £ E. 28,821 were exchanged for 20,585 feddans of land belonging to the State, and that 2,123 pensions of the annual value of £ E. 13,211 were commuted for a capital sum of £ E. 67,822 in cash. Since the commencement of the operations in 1886, 3,632 pensions of an annual value of £ E. 220,822 have been commuted for a sum of £ E. 2,621,744, the amount of Government land which has been disposed of being 108,235 feddans.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 61.

Extract from the "Journal Officiel" of January 6, 1890.

MINISTÈRE DES FINANCES.

Échange des Pensions.

PENDANT le courant de l'année 1889, 2,674 pensions ont été échangées, savoir :—

(A.)—CONTRE DES TERRES.

	Nombre.	Pension Annuelle.	Montant du Rachat.	Superficie.
		£ E.	£ E.	Fed. pics.
Pour domaines	363	22,686	231,898	11,122 000
Pour immeubles libres	188	6,135	51,268	9,463 142·923
Total	551	28,821	283,166	20,585 142·923

(B.)—CONTRE ESPÈCES.

(Pensions au-dessous de £ E. 12 par an.

	Nombre.	Pension Annuelle.	Montant du Rachat.
		£ E.	£ E.
Pensions d'hommes	785	6,270	35,600
Pensions de femmes	1,338	6,941	32,222
Total	2,123	13,211	67,822

RÉCAPITULATION des Pensions Échangées en 1889.

Nombre de Pensions.	Pension Annuelle.	Montant du Rachat.
	£ E.	£ E.
2,674	42,032	350,988

RÉCAPITULATION Générale de l'Échange des Pensions et des Allocations Princières depuis le commencement des Opérations.

	Nombre.	Pension Annuelle.	Montant du Rachat.	Superficie.
		£ E.	£ E.	Fed. pics.
Pour domaines } Pensions {	1,036	89,732	911,854	46,074 000
Pour immeubles libres }	461	22,406	206,068	22,286 307·186
	1,497	112,138	1,117,922	68,360 307·186
Pour domaines (allocations Princières)..	12	95,473	1,436,000	39,875 000
Total de l'échange contre des terres	1,509	207,611	2,553,922	108,235 307·186
Rachat des pensions en espèces	2,123	13,211	67,822	.. ..
Total général	3,632	220,822	2,621,744	108,235 307·186

Le Caire, le 2 Janvier, 1890.

No. 62.

Sir E. Baring to the Marquis of Salisbury.—(*Received January* 27.)

My Lord, *Cairo, January* 16, 1890.

IN continuation of my despatch of the 24th ultimo, I have the honour to transmit to your Lordship herewith the text of a speech as published in the "Journal Officiel" of yesterday, made by Riaz Pasha at a meeting of the General Assembly held on the 18th ultimo, on the subject of the abolition of the corvée and the substitution in its place of a small additional tax on land.

I have, &c.
(Signed) E. BARING

Inclosure in No. 62.

Extract from the "Journal Officiel" of January 15, 1890.

ASSEMBLÉE GÉNÉRALE.

Procès-verbal de la Séance du Mardi, 18 *Décembre,* 1889.

(Traduction.)

LA séance est ouverte à 11 heures et demie à la Turque (9 heures et demie du matin), sous la présidence de son Excellence Aly Pacha Chérif, Président de l'Assemblée Générale, et en présence de soixante et un membres.

M. le Président ordonne la lecture du procès-verbal de la séance précédente, dont la rédaction est approuvée.

Son Excellence le Président du Conseil des Ministres, Ministre de l'Intérieur et des Finances.—De la lecture du procès-verbal il résulte que l'Assemblée a approuvé, dans sa dernière séance, le projet soumis par le Gouvernement à son examen, j'adresse, en conséquence, à MM. les membres de l'Assemblée, mes remercîments pour l'empressement qu'ils ont mis à approuver un projet profitable au pays.

Certaines discussions qui se sont élevées au cours de la séance précitée me portent à fournir à l'Assemblée quelques explications, bien que les capacités de ses membres les rendent presque inutiles.

L'approbation de ce projet produit-t-elle un excédent dans le Budget de l'État ? Assurément non.

Une somme est perçue jusqu'à présent, injustement, d'une classe d'individus qui se trouvent dans l'impossibilité d'en continuer le paiement et qui doivent équitablement en être exonérés. Le but du Gouvernement est donc de répartir cette somme entre ceux qui peuvent la payer, et cela en compensation des avantages qui résulteront pour eux des travaux pour lesquels cette somme sera employée.

A la personne qui demanderait quelles sont les Lois et les Règlements en vigueur aujourd'hui, je répondrais qu'il est perçu à titre de rachat de prestation, P. E. 40 par homme pour la Basse-Égypte et P. E. 30 pour la Haute-Égypte, et qu'une taxe frappe les terres arrosées par le Canal Ibrahimieh. Cette dernière taxe est divisée en trois catégories : la première est fixée à raison de P. E. 6 par feddan, la deuxième à raison de P. E. 3, et la troisième à raison de P. E. 1.

Cette division est établie d'après les revenus des terres, car certains propriétaires font des cultures "sefi," tandis que d'autres n'en font pas.

Les sommes provenant du rachat de la prestation et de la taxe du Canal Ibrahimieh seront compensées par une taxe à établir sur le feddan d'une manière équitable et qui mettrait fin au système inique de la corvée et de la prestation, que vous avez tous jugé opportun d'abolir.

Le but est donc d'arriver à établir un système égalitaire, autant que nous le permettra la Divine Providence.

En étudiant la possibilité d'abolir le rachat de la prestation, sans le compenser par un autre revenu au Budget de l'État, il est à peine besoin de remarquer que cela est impossible, car il s'agit d'une somme considérable de 150,000 livres et non de 150,000 paras.

En effet, le Budget de l'État ne pourrait supporter une réduction de 150,000 livres pour la suppression de la corvée, et alors surtout que ce Budget vient d'être réduit

d'une autre somme de 120,000 livres, correspondant environ à la moitié de l'impôt professionnel, du droit de pesage et d'autres taxes qui doivent être supprimées.

Je ne doute pas que tous, Messieurs, vous ne reconnaissiez que la réduction de cette dernière somme était plus importante et plus nécessaire que la réduction du montant du rachat de la prestation. S'il avait été possible de réduire encore le Budget, nous l'aurions fait en supprimant totalement l'impôt professionnel, dont sont frappés les plus pauvres des contribuables qui se trouvent dans un extrême besoin, tels que les marchands de citrons et autres du même genre.

Je pense que le propriétaire de 1,000 ou de 2,000 feddans ne sera pas aussi gêné de cette taxe minime, dont nous proposons l'établissement aujourd'hui, que le sont actuellement ces pauvres malheureux. Il estimera, au contraire, que la dite taxe est relativement insignifiante, en raison de l'abolition de la corvée, qui est un des plus grands maux, et dont le nom seul est déjà si pénible à entendre.

Les 250,000 livres ajoutées aux 150,000 livres que nous avons encore couvriront-elles les dépenses nécessaires aux travaux du Nil, à l'irrigation, et aux autres travaux amenés par la baisse des eaux? Évidemment non, car parmi les travaux urgents figurent les barrages, le rayah Tewfikieh, et le rayah de Béhérah. Pour l'exécution de ces derniers travaux, on a dû prévoir des sommes beaucoup plus considérables que les 150,000 livres qui proviendront de l'impôt foncier compensant l'abolition de la corvée, et il y a lieu de tenir compte, en outre, des travaux de curage et de beaucoup d'autres nécessités par des circonstances imprévues.

En parlant de la baisse du Nil, nous savons quelle importance nous devons donner à cette question. Nous reconnaissons tous combien les dispositions que l'on peut prendre pour le Nil sont précaires, et ce qui arrive chaque deux ou trois ans par suite d'une crue insuffisante. L'insuffisance de la crue du Nil a, l'année passée, produit des terres " cherakis " d'une superficie de 360,000 feddans, et amené, par suite, dans les revenus de l'État, un déficit de 360,000 livres environ.

Les malheurs dont furent atteints les propriétaires qui, par suite du manque d'eau, n'ont pu cultiver leurs terres, ne peuvent être décrits, car le moindre dommage résultant de cet état de choses est que les paysans n'ont pu trouver quelques herbes pour nourrir leurs bestiaux; ils ont été obligés de se disperser dans différents endroits du pays, cherchant de quoi subvenir à leur existence et à celle de leurs animaux.

Ces 360,000 livres représentent un déficit dans le Budget de l'État, par suite de la baisse du Nil pendant une seule année. Il est arrivée que dans une année, le montant des dégrèvements effectués sur les terres " cherakis " a atteint 950,000 livres, et nous ne pouvons oublier que pendant une autre année le Gouvernement a dû combler le déficit survenu par suite de la sécheresse par des économies sur les appointements des employés.

La question des " charakis " est celle qui peut causer le plus grand préjudice à l'État, car c'est dans la culture " nili " que l'homme et l'animal trouvent leur nourriture; c'est là un point important auquel le Gouvernement doit donner toute sa sollicitude.

Une baisse considérable du Nil survenant, serait une véritable calamité publique. Aussi le Gouvernement cherche continuellement les moyens de faire disparaître les dommages causés par les " charakis." Je puis même dire qu'il serait plus avantageux pour le Gouvernement de contracter un emprunt de 1,000,000 ou de 2,000,000 de livres afin de prévenir les malheurs provenant de la sécheresse, et de payer sur cet emprunt un intérêt de 40,000 ou 50,000 livres par an. En effet, en calculant le déficit que le Budget de l'État supporte par suite des terrains " cherakis," nous remarquerons que ce déficit atteint annuellement 200,000 livres, sans compter les pertes considérables que subissent les propriétaires des terres éprouvées.

Il y a une différence notable entre ces pertes et l'intérêt de l'emprunt, qui ne serait que de 40,000 ou 50,000 livres, et il vaut mieux faire supporter cette charge par le Budget de l'État que d'exposer à la famine les habitants de la Moudirieh d'Esneh, comme ils en ont souffert par suite de la sécheresse survenue l'année dernière, époque à laquelle ils ont dû abandonner leurs demeures, leurs bestiaux, et leurs enfants pour se rendre dans la Basse-Égypte afin d'échapper à une ruine complète et de trouver de quoi se nourrir.

Un commencement d'exécution du projet tendant à conjurer la sécheresse a déjà eu lieu dans certaines localités de la Haute-Égypte. Les habitants des provinces de Ghergeh, Keneh, et Esneh doivent avoir remarqué les travaux qui sont exécutés dans leurs provinces, travaux qui, une fois achevés, empêcheront, nous devons l'espérer, le retour de la sécheresse, même si la crue du Nil n'atteint pas plus de 16 ou de 17 pics. Un crédit de 8,000 livres est spécialement ouvert pour l'exécution de ces travaux.

Je crois qu'on n'a jamais exécuté de travaux ou de constructions semblables à ceux qu'on a commencés dans la Haute-Égypte depuis l'année dernière.

Le Gouvernement reconnaît que c'est aux eaux du Nil que lui, le pays et les habitants doivent leur existence.

Il serait par conséquent plus avantageux pour nous de pourvoir, d'une façon complète, à l'exécution des travaux d'irrigation avant toute chose.

Examinons maintenant la question de l'exécution des travaux par voie d'entreprise.

On a beaucoup parlé au sujet de ces travaux, tant en ce qui concerne l'irrégularité de l'exécution, qu'en ce qui touche la négligence y apportée par les entrepreneurs, sans compter les autres inconvénients. Une partie de ce qui a été dit doit être vraie ; mais la plus grande partie est certainement exagérée. J'ai entendu, moi aussi, comme vous, Messieurs, des déclarations et des plaintes à ce sujet ; si nous savions tous de quelle manière ces travaux étaient exécutés auparavant, et comment ils le sont actuellement, il serait superflu de donner des explications. Si nous comparons les irrégularités ou les négligences apportées dans les travaux donnés par voie d'entreprise, en admettant que ces défauts existent réellement, aux souffrances éprouvées par les hommes qui étaient recrutés pour l'exécution de ces travaux, nous trouverons une grande différence qui n'échappera pas aux membres de l'Assemblée.

Il est vrai qu'en ce monde tout commencement est difficile et que toute chose entreprise n'atteindra pas facilement l'état de perfection ; mais si nous examinons les travaux faits l'année dernière par voie d'entreprise, nous constaterons qu'ils ont été mieux exécutés que ceux qui ont été effectués l'année précédente, et que cette amélioration dans les travaux d'entreprise continue à progresser.

Par conséquent, quelle que soit la somme que nous dépensions, ou quelle que soit l'irrégularité ou la négligence actuelles, nous sommes persuadés que nous obtiendrons le plus grand avantage en abolissant le système de la corvée.

L'exécution des travaux par voie d'entreprise est encore avantageuse pour deux autres raisons :—

1. Celui qui désire prendre ces travaux à sa charge est absolument libre de les exécuter moyennant le prix qui lui convient ;

2. Les sommes qui seront dépensées pour ces entreprises seront distribuées aux habitants des villages, parmi lesquels l'entrepreneur devra forcément recruter les hommes nécessaires aux travaux.

En supposant qu'un des grands entrepreneurs chargé de l'exécution d'une des entreprises importantes en ait retiré un bénéfice de 5, 10, ou 15 pour cent, les habitants profiteront du reste pour les travaux qu'ils sont libres d'exécuter et les feront d'autant mieux qu'ils seront récompensés de leurs peines.

Quant aux paiements, ils sont effectués par les Caisses de l'État avec la plus grande exactitude.

Indépendamment de ces dépenses considérables qui sont effectuées sur le Budget de l'État, d'autres sommes également importantes, prélevées aussi sur le Budget, seront employées pour des travaux d'utilité publique, tels que la construction de plusieurs nouvelles voies ferrées. Parmi ces travaux, il y a lieu de citer : la construction d'une ligne à Senourès, Province de Fayoum, le prolongement de la voie ferrée jusqu'à Ghergha, le prolongement d'une autre ligne jusqu'à Menouf, et d'une troisième jusqu'à Rahmanieh. Il sera également construit à Embabeh un pont reliant les lignes du chemin de fer situé sur la rive est du Nil à celles de la rive ouest.

Puisque nous avons parlé du pont d'Embabeh, examinons encore la question des entreprises.

Pour pouvoir faire construire à un prix avantageux pour le Gouvernement ce pont qui sera destiné à l'établissement du chemin de fer, et qui devra avoir un passage de chaque côté pour le public, il a été nécessaire de se livrer à un minutieux examen de la question. Plusieurs Commissions, composées d'experts, ingénieurs et autres personnes compétentes, ont été nommées à cet effet. Des pourparlers ont été engagés avec plusieurs maisons de Londres, de France, et d'Allemagne, et tous les pays d'Europe en ont été avisés. Nous arrivons donc à pouvoir faire construire le pont d'Embabeh, dans les conditions précitées, au prix de 80,000 livres environ.

Nous faisons ainsi construire un grand pont à ce prix relativement modéré, alors que le pont de Kasr-el-Nil, qui n'est destiné qu'au passage du public, a coûté au Gouvernement une somme considérable de 150,000 livres. Le fait actuel vous prouve que l'État ne fait une dépense qu'après avoir établi ses comptes avec le plus grand soin.

Toutefois, Dieu seul est infaillible et l'homme peut toujours se tromper, et nous

ne pouvons affirmer que le Gouvernement d'un pays aussi vaste que l'Égypte ne puisse jamais commettre d'erreur. Néanmoins, si ce Gouvernement emploie tout ce qui est en son pouvoir dans le but d'obtenir les améliorations nécessaires, il n'y a point de doute qu'il n'obtienne dans la plupart des travaux tout le succès désirable.

Je répète, cependant, ce que j'ai dit dans la dernière séance : si le consentement à la conversion de la Dette Privilégiée est donné, même dans cinq ou dix jours, par celles des Puissances qui n'y ont pas encore adhéré, la taxe qui a remplacé le rachat de la prestation sera immédiatement supprimée et tout ce que nous avons fait à cet égard sera, par conséquent, considéré comme nul.

Je vous ai dit, Messieurs, que j'étais le premier à souhaiter la réalisation de ce projet.

Ce qui a forcé le Gouvernement à remplacer la corvée par la taxe précitée, est uniquement le but qu'il poursuit de faire disparaître l'injustice et d'appliquer un système égalitaire.

Portez votre attention, Messieurs, sur la digue de Kochecha qui est pour nous un sujet perpétuel d'inquiétudes, par suite des brèches qui s'y produisent chaque année ! Que de sommes considérables ont été dépensées par l'État pour réparer ces digues ! Combien de fois les localités situées au nord de la digue ont-elles été inondées pendant la crue du Nil par suite de ces brèches, et que de préjudices ont causé ces accidents !

Pour prévenir ces dégâts, qui surviennent à chaque crue, des écluses seront construites dans la digue pour servir à l'écoulement des eaux.

Il n'y a point de doute que ce travail ne coûte à l'État des sommes considérables, mais aussi on économisera les travaux de terrassement qui y sont effectués chaque année par les corvéables.

En somme, Messieurs, le but que nous poursuivons consiste à améliorer d'une manière générale la situation du pays. Nous devons, par conséquent, nous unir pour n'agir que comme un seul homme, et nous entr'aider pour faire ce qui sera le plus avantageux pour le pays, et éviter, autant que possible, tout ce qui pourra lui être nuisible.

Nous sommes tous habitants du pays et nous ne voulons que son bien. Vous reconnaissez parfaitement les bonnes intentions de Son Altesse le Khédive, notre auguste Souverain. Que Dieu nous le conserve !

Bien que nous ne nous acquittions pas tous de fonctions semblables, tous, fonctionnaires du Gouvernement ou membres de l'Assemblée Générale, nous devons nous maintenir dans les limites que nous trace notre devoir, en ce qui concerne le bien de notre pays. Soyez donc pleinement rassurés sur ce qui a trait aux entreprises et sur l'emploi des recettes de l'État, recettes qui sont affectées aux dépenses les plus nécessaires.

Quant à la répartition de la taxe sur les terres, cette opération aura lieu avec toute l'équité voulue et seulement après avoir pris l'avis des Moudirs et du Conseil Législatif.

Prions le Tout-Puissant de nous préserver de tout sentiment de jalousie, qui ne pourrait que nous égarer et nous diviser, et de nous mener à un état de prospérité, digne couronnement de nos travaux. (Applaudissements).

L'Assemblée fixe sa prochaine réunion au lendemain à 3 heures et demie à la Turque.

M. le Président.—La séance est levée à 5 heures et demie à la Turque (10 heures et demie du matin).

(Translation.)

General Assembly.

Procès-verbal of the Sitting of Tuesday, December 18, 1889.

(Translation.)

THE sitting opened at 11·30 Turkish time (9½ hours A.M.), under the presidency of his Excellency Ali Pasha Chérif, President of the General Assembly, sixty-one members being present.

The President orders the *procès-verbal* of the preceding sitting to be read, and its terms are approved.

His Excellency the President of the Council of Ministers, Minister of the Interior and of Finances.—It appears from the *procès-verbal* of the preceding sitting just read that the Assembly approved, at its last sitting, the project submitted by the Government for their examination; I consequently tender my thanks to the members of the

Assembly for the zeal with which they have approved a project profitable to the country.

Certain discussions which arose during the above-mentioned sitting induce me to furnish the Assembly with some explanations, although the intelligence of its members renders this almost unnecessary.

Will this project, if approved, produce a surplus in the State Budget? Certainly not.

A sum has hitherto been unjustly levied on a class of persons who find it impossible to continue the payment, and who should in justice be relieved from it. The object, therefore, of the Governments, is to assess this sum amongst those who are able to pay it, as compensation for the advantages which will accrue to them from the works upon which the money will be employed.

If any one asks what are the Laws and Regulations in force to-day, I reply that, for the redemption of forced labour, P. E. 40 is levied per man in Lower Egypt and P. E. 30 per man in Upper Egypt, and that a tax is imposed on the lands irrigated by the Ibrahimieh Canal. This latter tax is divided into three categories: the first is fixed at the rate of P. E. 6 per feddan, the 2nd at P. E. 3 per feddan, and the third at P. E. 1 per feddan.

The apportionment is fixed according to the revenue of the lands, for certain proprietors practise "sefi" culture, while others do not.

The sums produced by the redemption of forced labour, and by the tax of the Ibrahimieh Canal, will be provided by a tax to be imposed on the land in an equitable manner, which will put an end to the unjust system of forced labour, which you are all of opinion that it is desirable to abolish.

Our aim, then, is to establish an impartial system, as far as Divine Providence will permit.

On examining the possibility of abolishing the redemption of forced labour without compensating the Budget from another source, it is hardly necessary to observe that this is impossible, for it is a question of the considerable sum of 150,000*l.*, and not of 150,000 paras.

In fact, the State Budget could not support a reduction of 150,000*l.* for the suppression of the corvée, especially when this Budget has just been reduced by another sum of 120,000*l.*, which represents about half the professional tax, and the weighing and other taxes which are to be suppressed.

I do not doubt, Gentlemen, that you all recognize that the reduction of this latter sum was more important and necessary than the reduction of the amount of the forced labour redemption tax. If it had been possible to still further reduce the Budget, we should have done so by suppressing entirely the professional tax which is levied on the poorest tax-payers who are in extreme need, such as lemon-sellers and others of the same class.

I do not think that the owner of 1,000 or 2,000 feddans will be as hardly pressed by the very small tax which we now propose to establish as those wretched people are at the present moment. He will consider, on the contrary, that the said tax is relatively insignificant, viewed in connection with the abolition of the corvée, which is one of the greatest of evils, the name of which alone is painful to our ears.

Will the 250,000*l.* added to the 150,000*l.*, which we already have, cover the expenses necessary for the works of the Nile, the irrigation and other works rendered necessary by the fall of the waters? Certainly not; for among the works which are most urgent figure the dams, the Tewfikieh rayah, and the rayah of Béhérah. For the execution of these latter works, it has been necessary to provide sums far larger than the 150,000*l.* produced by land tax, imposed to meet the abolition of the corvée, and we must also take into account the cleansing of the canals, and many other works occasioned by unforeseen circumstances.

In speaking of the fall of the Nile, we know what importance must be given to this question. We are all aware how precarious the arrangements are which can be taken in regard to the Nile, and what happens every two or three years in consequence of an insufficient rise. The insufficient rise of the Nile produced last year "cherakis" (unirrigated) land to the extent of 360,000 feddans, and consequently caused a deficit of about 360,000*l.* in the revenue of the State.

The hardships which the proprietors suffered, who, in consequence of the want of water, were unable to cultivate their land, cannot be described, for the least loss which results from this state of things is that the peasants are unable to find grass to nourish their beasts, and they are obliged to disperse to different parts of the country to seek subsistence for themselves and their beasts.

These 360,000*l.* represent a deficit in the State Budget, in consquence of the fall of the Nile during a single year. It has happened that, in one year, the total of taxes remitted on "cherakis" land has amounted to 950,000*l.*, and we cannot forget that, in another year, the Government were forced to make up the deficit resulting from drought by reductions in the salaries of its employés.

The question of "cherakis" is the one which may cause the greatest harm to the State, for it is by "nili" culture that man and beast are nourished; this is an important point, to which the Government must give its most anxious care.

If a considerable fall of the Nile were to supervene, it would be a real public calamity. The Government therefore is continually seeking means to prevent the losses caused by the "cherakis." I may even say that it would be more advantageous for the Government to contract a loan of 1,000,000*l.* or 2,000,000*l.* in order to provide against the distress arising from drought, and to pay on this debt an interest of 40,000*l.* or 50,000*l.* a-year. In fact, on calculating the deficit which the State Budget suffers in consequence of "cherakis" land, we shall see that this deficit reaches 200,000*l.* annually, without counting the considerable losses which the owners of the afflicted lands suffer.

There is a notable difference between these losses and the interest on the loan, which would only be 40,000*l.* or 50,000*l.*, and it is better that this burden should be borne by the State Budget than that the inhabitants of the Moudirieh of Esneh should be exposed to famine, such as they suffered in consequence of the drought which occurred last year, when, in order to escape complete ruin and to find nourishment, they were obliged to abandon their homes, their beasts, and their children, and to betake themselves to Lower Egypt.

The execution of a project for checking drought has been commenced in certain localities of Upper Egypt. The inhabitants of the Provinces of Ghergeh, Keneh, and Esneh must have remarked the works which are being executed in their provinces, works which, when once finished, will, we must hope, prevent the return of drought, even if the rise of the Nile does not exceed 16 or 17 pies, A credit of 8,000*l.* has been specially opened for the execution of these works.

I believe that such works or constructions as those which were commenced last year in Upper Egypt have never yet been executed.

The Government are aware that they, the country, and all its inhabitants, depend for their very existence on the waters of the Nile.

It is therefore most important for us to provide immediately and in a thorough manner for the execution of the irrigation works.

Let us now examine the question of the execution of the works on the contract system.

On this subject much has been said respecting the irregularity of execution as well as the carelessness of the contractors, without mentioning other inconveniences. Part of what has been said is probably true; but the greater part is certainly exaggerated. I also, Gentlemen, like yourselves, have heard statements and complaints on the subject; if we all knew in what manner these works were executed formerly, and how they are now done, it would be superfluous to offer explanations. If we compare the irregularity and negligence which has been shown in the works done by contract, admitting that these defects actually exist, with the sufferings endured by the men who were recruited to execute those works, we shall find a great difference, which will not escape the attention of the members of the Assembly.

It is true that, in this world, all beginnings are difficult, and that no undertaking will easily attain a state of perfection; but if we examine the works done by contract last year, we shall perceive that they have been better executed than those completed the year before, and that this improvement in the works contracted for continues to increase.

Consequently, whatever sum we may expend, or however great the actual irregularity or negligence may be, we are persuaded that we shall benefit largely by abolishing the "corvée" system.

The execution of works by contract is, moreover, advantageous, for two other reasons:—

1. Whoever wishes to undertake these works is absolutely free to execute them, in consideration of the sum agreed upon.

2. The sums which will be spent on these contracts will be distributed amongst the inhabitants of the villages amongst whom the contractor will be obliged to recruit the men necessary for the works.

Supposing that one of the great contractors intrusted with the execution of one of

the important contracts makes a profit of 5, 10, or 15 per cent., the inhabitants will profit by the remainder for the works which they are free to execute, and will do them all the better because they are rewarded for their work.

As regards the payments, they will be made by tho Treasury with the greatest punctuality.

Independently of the considerable expenses charged upon the Budget, other sums equally important also levied on the Budget will be employed for works of public utility, such as the construction of several new railways. Among these works should be mentioned the construction of a line to Senourès, in the Province of Fayoum, the extension of the railway as far as Ghergha, the extension of another line as far as Menouf, and of a third line to Rahmanieh. A bridge will also be constructed at Embabeh, uniting the railway lines situated on the east bank of the Nile with those on the west bank.

Since we have spoken of the bridge of Embabeh, let us examine the question of the contracts.

In order to insure the construction, at a price advantageous to the Government, of this bridge, which is intended to carry a railway line, and will also have a passage on each side for the public, it was necessary to examine the question very carefully. Several Commissions, composed of experts, engineers, and other competent persons, were appointed with this object. Overtures were made to several firms of London, France, and Germany, and all countries of Europe were notified. The result is, therefore, that we are able to construct the bridge of Embabeh on the afore-mentioned conditions, for the sum of about 80,000*l.*

We are thus about to build a large bridge at this relatively moderate price, whereas the bridge of Kasr-el-Nil, which is only intended for the passage of the public, has cost the Government the large sum of 150,000*l.* This fact proves to you that the State does not incur an expense until it has estimated the work very carefully.

However, God alone is infallible, and man is always liable to error, and we cannot assert that the Government of a country so vast as Egypt may never make a mistake. Nevertheless, if the Government does all that is in its power to effect the necessary improvements, there is no doubt that it will obtain in most of the works all desirable success.

I repeat, however, what I said at the last sitting : if the Powers who have not yet consented to the conversion of the Privileged Debt give their assent within five or ten days, the tax which is to take the place of the redemption of forced labour will be immediately remitted, and all that has been done in this respect will consequently be considered as annulled.

I have told you, Gentlemen, that I was the first to wish success to this project.

The sole object which the Government has had in view in substituting the above-mentioned tax for the corvée is the prevention of injustice and the application of a system fair to all.

Turn your attention, Gentlemen, to the dyke of Kochecha, which is a constant subject of anxiety to us, in consequence of the breaches which are made in it every year! How much money has been spent by the State in repairing these dykes? How often have the localities to the north of the dyke been flooded during the rise of the Nile in consequence of these breaches, and how much loss has been caused by these accidents?

To prevent this damage, which takes place at every rise of the Nile, sluices will be constructed in the dyke to serve as an escape for the waters.

Undoubtedly, this undertaking will cost the State a considerable sum of money, but, on the other hand, the work of embankment carried out every year by the "corvéables" will be economized.

To sum up, Gentlemen, the object we have in view is the general improvement of the country. We ought, consequently, to act in concert as one man, and help each other in doing what is best for the country, avoiding, as far as we can, anything detrimental to it.

We are all inhabitants of the same country, and only desire its welfare. You recognize clearly the good intentions of His Highness the Khedive, our august Sovereign. May God preserve him!

Although we are not all intrusted with similar functions, we ought all, Government officials as well as members of the General Assembly, to keep ourselves within the limits which our duty prescribes, as far as the welfare of our country is concerned. Be therefore fully reassured as regards the contracts and employment of the revenues of the State, which are devoted to the most necessary expenses.

As regards the assessment of the land tax, this will be carried out with all proper justice in consultation with, and with the advice of, the Mudirs and the Legislative Council.

Let us pray the Almighty to keep us from all feeling of jealousy, which could but lead us astray and divide us, and to lead us to a state of prosperity which will worthily crown our labours. (Applause.)

The Assembly fixes its next meeting for to-morrow at half-past 3 Turkish time.

The President.—The sitting is terminated at half-past 5 Turkish time (10·30 A.M.).

No. 63.

Sir E. Baring to the Marquis of Salisbury.—(*Received February* 3.)

My Lord, *Cairo, January* 26, 1890.

MANY exaggerated statements have often been made about the number of English officials in the service of the Egyptian Government. I beg therefore to transmit herewith a list showing the appointments at present held by Englishmen in this country.

It will be seen that the total number of Englishmen employed is 336, at an annual salary of £ E. 150,317.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 63.

List of Appointments held by English Officials.

Appointment.	Number.	Salaries.	Number of Subordinate Appointments.	Salaries.
		£ E.		£ E.
Financial Department.				
Financial Adviser	1	2,000	2	770
Director-General of Accounts	1	1,500	2	900
Customs.				
Director-General of Customs	1	2,000	12	3,522
Assistant ditto	1	1,600		
Inspector-in-chief Coastguards	1	800	21	3,420
Post Office.				
Deputy Postmaster-General	1	660	6	960
Khédivieh Postal Steamers.				
Director-General	1	900	36*	9,100
Lighthouses				
Controller-General of Lighthouses and Ports	1	1,500	20	4,397
Assistant ditto	1	1,000		
Engineer ditto	1	780		
Educational Department				
Inspectors of Schoolmasters	..	..	9	2,460
Police Department.				
Chief of Pulic Security Division	1	1,300		
Deputy ditto	1	1,000		
Inspectors-in-chief	2	2,000		
Divisional Inspectors	4	2,800		
Officers and constables	..	..	19	3,596
Clerks	..	..	5	696

* Chiefly engineers.

† Temporary, for works carried out by loan.

Appointment.	Number.	Salaries.	Number of Subordinate Appointments.	Salaries.
		£ E.		£ E.
Public Works Department				
Under-Secretary of State	1	2,000		
Inspector-General of Irrigation	1	1,600		
Inspectors of Irrigation	4	4,700		
Assistant ditto	3	1,600		
Director of Works	..	..	1	1,600
Engineers	..	..	8	2,016
Prison Department.				
Inspector-General	1	1,000		
Native Courts of Justice				
Judges	3	2,886		
Sanitary Department.				
Director	1	1,200		
Sanitary Inspectors	2	1,200		
Doctors	3	774	3	600
Sanitary Engineer	1	480		
Veterinary Inspector	1	420		
Total	39	37,700	144	34,037
Egyptian Army.				
Officers	69	43,980	..	..
Non-commissioned officers	..	..	33	5,408
Total	69	43,980	33	5,408
MIXED ADMINISTRATIONS.				
Public Debt Office.				
Commissioner	1	2,000		
Domains Administration.				
Administrator	1	2,000	2	804
Daïra Sanieh.				
Controller	1	2,000	5	1,956
Engineer	1	1,000		
Mixed Tribunals.				
Judges	3	4,616	1	192
Quarantine Board.				
President	1	1,200	1	204
Railway Administration.				
President	1	1,950		
Locomotive Superintendent	1	1,000	30	8,700
Deputy Chief Engineer	1	720		
Inspector-General of Telegraphs	1	850		
Total	11	15,336	39	11,856

	Number.	Salaries.
		£ E.
Superior appointments	120	99,016
Subordinate appointments	216	52,301
Grand total	336	150,317

No. 64.

Sir E. Baring to the Marquis of Salisbury.—(Received February 10.)

My Lord, *Cairo, January 28, 1890.*

I HAVE the honour to transmit herewith copy of a Decree which appeared in the "Journal Officiel" of yesterday, announcing that a reduction of the inland postage of Egypt will take place from the 1st March next.

I also beg to inclose herewith a Statement drawn up by the Postmaster-General, showing the improvements which have been introduced into the administration under his charge during the course of last year.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 64.

Extract from the "Journal Officiel" of January 27, 1890.

Décret.

NOUS, Khédive d'Égypte,

Vu le Décret du 29 Mars, 1879;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

Décrétons :

Article 1er. La taxe pour les lettres circulant dans tout l'intérieur de l'Égypte est réduite à trois millièmes en cas d'affranchissement, et au double dans le cas contraire, par chaque lettre et par chaque port de 15 grammes ou fraction de 15 grammes,

Art. 2. Le présent Décret entrera en vigueur le 1er Mars, 1890.

Art. 3. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Hélouan, le 4 Gamad-Akher, 1307 (25 Janvier, 1890).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) Riaz.

(Translation.)

Decree.

WE, Khedive of Egypt,

With reference to the Decree of the 29th March, 1879;

In conformity with the proposal of our Minister of Finance and with the assent of our Council of Ministers;

Decree :

Article 1. The charge upon letters circulating throughout the interior of Egypt is reduced to 3 millièmes for stamped, and to double that amount for unstamped, letters or parcels weighing 15 grammes, or under.

Art. 2. The present Decree shall come into force on the 1st March, 1890.

Art. 3. Our Minister of Finance is charged with the execution of this Decree.

Palace of Hélouan, 4th Gamad-Akher, 1307 (25th January, 1890).

(Signed) MÉHÉMET TEWFIK.

Countersigned :
The President of the Council of Ministers,
Minister of Finance,
(Signed) Riaz.

Inclosure 2 in No. 64.

New Services and Principal Improvements in 1889.

INAUGURATION of the rural post: 170 villages, representing a population of about 100,000 inhabitants, hitherto without any postal means of communications, are now provided with a regular service of rural postmen.

This service is highly appreciated by the country population, and the receipts derived therefrom are already covering the expenses.

2. Opening of eight new post-offices.

3. Reduction from 1 piastre to 5 millièmes (20 paras) of the postage on non-commissioned officers' and soldiers' letters.

4. Issue of postal wrappers, "enveloppes-lettres" (a sheet of paper which serves as envelope and letter combined), and envelopes for visiting cards.

5. Introduction of a system of weekly accounts for newspapers, replacing the inconvenience of, and the waste of stamps by, affixing a stamp to each paper.

6. Introduction of the parcel-post with India.

7. Extension of the money-order service to all the British Colonies and possessions.

8. Suppression of the Alexandria Austrian post-office.

9. Modification of the arrangement made with Italy at the closing of Italian post-office. According to the former agreement Alexandria was considered, from a postal point of view, as an Italian town. This anomaly has been removed by the new arrangement.

Revenue and Expenditure.

	£
Receipts	116,292
Expenses	86,170
Surplus	30,122

As against 20,900*l.* in 1888.

No. 65.

Sir E. Baring to the Marquis of Salisbury.—(*Received February* 17.)

My Lord, *Cairo, February* 6, 1890.

ON the 2nd January I telegraphed to your Lordship that the matters in dispute between the Greek and Egyptian Governments had been practically settled, inasmuch as the Egyptian Government had made some important concessions in connection with the Nationality question. Subsequent to the despatch of this telegram several other difficulties arose. It is perhaps unnecessary that I should describe the whole of the negotiations, which have been somewhat complicated and troublesome. I have not thought it necessary to refer to your Lordship in the course of the discussions which have taken place. The points at issue were of purely local importance; neither was any special English interest involved beyond the general interest which Her Majesty's Government must necessarily take in Egyptian affairs so long as the British occupation lasts.

I have been in frequent communication with Sir Edmund Monson, and I have now the honour to report to your Lordship the general result of the negotiations, which will, I trust, meet with your Lordship's approval.

When the Nationality question had been settled verbally between M. Argyropoulos, the new Greek Consul-General, and Tigrane Pasha, the former asked that the official notes on this subject should be exchanged at once. The Greek Government would, he said, then be prepared to adhere to the Mixed Tribunals for a further period of four years. It will be remembered that, as a result of the disputes which took place last year, the Greek Government only adhered to the Tribunals for the year commencing from the 1st February, 1889.

To this proposal the Egyptian authorities demurred. They stated that they had made large concessions on the Nationality question, and that, before finally committing themselves in writing to those concessions, they expected the Greek Government to deal with a variety of other pending questions in a sense favourable to Egyptian interests.

M. Argyropoulos stated that this was an entirely new condition, which he heard of for the first time only a very short while before the 1st February. Tigrane Pasha, on the other hand, said that he had made it clearly understood throughout that all pending questions would be settled simultaneously.

I cannot say which gives the more accurate account of the course of the negotiations, as I was not present at the discussions which took place between M. Argyropoulos and Tigrane Pasha. I gathered, however, both from what M. Argyropoulos said, and from communications which I received from Sir E. Monson, that the settlement of most of the points in dispute between the two Governments did not present any considerable difficulties. I therefore endeavoured to bring about an arrangement upon the basis proposed by the Egyptian authorities.

The points which the Egyptian Government wished to have settled were as follows:—

1. They asked for the adhesion of the Greek Government to the Decree imposing a professional tax on Europeans. The Commissioners of the Debt, who have had this matter under consideration for a long while, are, as your Lordship is aware, at last agreed with the Egyptian Government as to the terms of this Decree. Her Majesty's Government has adhered to the Decree (see my despatch of the 2nd ultimo*), and the adhesion of all the Great Powers, at all events, may with tolerable confidence be anticipated.

2. The Egyptian Government asked the Greek Government to adhere to the Decree under which the salaries and pensions of Government servants would be exempted from seizure for debt. This Decree has already met with the assent of all the Powers except Greece and Russia.

3. In consideration of the fact that the Egyptian Government were prepared to accept the permanent appointment of a Greek Judge on the Court of Appeal, the Egyptian authorities requested from the Greek Government a definite assurance in writing that the latter would support the proposals of the Egyptian Government in the matters connected with the reform of these Tribunals set forth in their Circular of the 9th October, 1888.

4. The Egyptian Government asked for an assurance from the Greek Government that keepers of gambling-houses would be prosecuted before the Greek Consular Courts upon the demand of the Egyptian police.

5. Certain Europeans, principally French, Austrians, Italians, and Greeks, have advanced claims against the Egyptian Government for losses incurred in the Soudan. The Egyptian Government wishes to effect a compromise which, in order to be binding, must receive the consent of the Powers. They asked the Greek Government to adhere to the terms of the compromise which they proposed.

6. Lastly, the Egyptian Government wishes to have somewhat extensive powers as regards the expulsion of Greeks from Egyptian territory.

After considerable discussion between M. Argyropoulos and Tigrane Pasha, in which both sides frequently appealed to me, the points of difference were reduced to two. In the first place, M. Argyropoulos was not prepared to give quite so positive an assurance of support to the Egyptian proposals in connection with the Mixed Tribunals as the Egyptian Government wished. In the second place, M. Argyropoulos and Tigrane Pasha were unable to agree about the Expulsion question.

As regards the first point, it appeared to me that the Egyptian authorities had a fair right to the unequivocal promise of support to their proposals relative to the Mixed Tribunals. I, therefore, advised M. Argyropoulos to modify the terms of his letter in a sense which would satisfy the Egyptian authorities. M. Argyropoulos accepted my advice.

As regards the second point, I did not think it was reasonable for the Egyptian authorities to insist upon an immediate settlement of the Expulsion question, which presents considerable difficulties. Neither did I think it in the interest of either party to leave all the other points unsettled merely because a difference of opinion existed on this single issue. I, therefore, advised the Egyptian Government to settle all the other points and to allow the Expulsion question to form the subject of subsequent negotiation. I had some difficulty in bringing the Egyptian authorities round to this view of the case, but they eventually ended by agreeing to my view.

The matter, therefore, now stands thus:

The Greek Government has adhered to the Decrees imposing a professional tax on Europeans.

* See No. 52.

They have also adhered to the Decrees under which the pensions and salaries of Government officials will be exempted from seizure for debt.

They have also agreed to support the Egyptian proposals in connection with the reform of the Mixed Tribunals.

They have agreed to prosecute the keepers of gambling-houses before the Consular Courts.

They have agreed to the terms of the Egyptian compromise with reference to the Soudan claims.

The Expulsion question stands over for subsequent negotiation.

The terms of the arrangement are, I venture to think, fairly satisfactory to both parties.

The Greek Government obtains the withdrawal of Egyptian opposition to the appointment of a Greek Judge on the Court of Appeal, and the settlement of the Nationality question upon a basis which is very liberal to Greek pretensions.

On the other hand, the Egyptian authorities ought, I venture to think, to be satisfied. Out of the six claims which they put forward, five have been settled in a sense favourable to Egyptian interests, and it is to be observed that in respect to each of these five points the public opinion of the numerous Greek residents in Egypt will, I conceive, be more or less opposed to the concessions made by the Greek Government.

I am not without hopes that the Expulsion question will admit of being satisfactorily settled. I am in communication with Sir E. Monson on the subject, but it is perhaps unnecessary that I should at present enter into the whole of the detail. It will be sufficient if I indicate the main difficulty.

The Egyptian Government do not claim the right to expel a Greek from Egypt without previous communication with the Greek Consular authorities. But they say that if in any particular case the Egyptian and Greek authorities do not agree, the former, either in the person of the Minister of the Interior or of the Minister of Justice, have a right to order the expulsion in spite of the opposition of the Greek Consul-General. A letter is on record in the Egyptian archives written in 1870 by M. Zanos, who was then Greek Consul-General, substantially agreeing in this view. M. Argyropoulos, on the other hand, says that the Greek Government has no cognizance of this letter, which is not to be found in the archives at Athens, and that it is impossible for his Government to consent to it.

There can be no doubt that the claim put forward by the Egyptian Government would not be admitted by any other Power. The view taken by Her Majesty's Government as regards the right of expulsion from the Ottoman dominions is set forth in Earl Russell's despatches of the 18th July and the 23rd August, 1860.

I can well understand that the Greek Government find some difficulty in admitting that Greek subjects should, in a matter of this sort, be placed in a more unfavourable position than other nationalities. On the other hand, there can be no doubt that the Egyptian authorities are right in contending that by reason of the large number of Greeks in Egypt and of the turbulent character of many individual Greeks, the Greek colony does, in fact, occupy a very special position in Egypt, and that, therefore, some special measures are necessary for dealing with bad characters.

I take this opportunity of mentioning that M. Argyropoulos has throughout shown a conciliatory disposition, and appears to me to have conducted the negotiations with skill.

I have, &c.
(Signed) E. BARING.

No. 66.

Sir E. Baring to the Marquis of Salisbury.—(Received February 17.)

(Extract.) *Cairo, February 7, 1890.*

SOME merchants recently sent a consignment of goods from Korosko to Abu Hamid, and the camels returned with gum. The venture has not, however, been financially successful, and the merchants are but little inclined to repeat the experiment. The partial opening of the trade appears, therefore, to have done but little good. On the other hand, it does not appear to have done any harm. This, as your Lordship is aware, is very much what I anticipated. I need not, however, dwell on

this point any more. I have always considered that the opening of trade in the Nile Valley, under the existing restrictions, was a matter of very trifling importance.

Another question in connection with trading with the Soudan has, however, been raised.

When, some two months ago, the question of allowing trade from the valley of the Nile was under discussion, I pointed out that the really important issue appeared to me to be, not whether trade, exclusive of grain, should be allowed from the Nile Valley, but whether the permission to trade, inclusive of grain, from the ports of the Red Sea, should be continued.

At that time, Colonel Holled Smith, the Governor of Suakin, was in Cairo. He was in favour of allowing the trade to continue. Moreover, at that time, full information had not been received as to the extent to which the grain trade was being carried on. The subject was, therefore, allowed to drop.

The question has, however, now been reopened.

Several statements of natives and others which give evidence as to the present state of the Soudan, appear to show, first, that the Dervish rulers have now seen the folly, in their own interests, of not permitting trade and of discouraging cultivation in the interior of the Soudan. In respect to both these points their policy has undergone a change. Secondly, that a considerable amount of grain is sent into the Soudan from the ports of the Red Sea. Thirdly, that contraband trade in munitions of war is carried on on a large scale from different places on the coast, some of which are on Egyptian and others on Italian territory.

The questions, therefore, which have to be decided are, first, whether the grain trade, which is now permitted, should be prohibited; secondly, whether any effective measures can be taken to stop the contraband trade in munitions of war. Both of these questions are difficult to answer; neither am I prepared to express a definite opinion upon them at this moment.

The question which formed the subject of discussion in connection with the opening of trade in the valley of the Nile appeared to me to be so simple that I had no hesitation in deciding it on my own responsibility. The present question is, however, very different, of considerably greater importance, and, I may add, a good deal more difficult.

I may mention that I took the opportunity of the presence of Admiral of the Fleet Lord John Hay in Cairo to consult him as to the possibility of stopping contraband trade on the Red Sea coast. His Lordship was of opinion that naval action alone would be powerless to stop the trade, and that it would be necessary to supplement it by the creation of a number of posts along the coasts of the Red Sea.

No. 67.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, February* 19, 1890.

I HAVE received your despatch of the 6th instant, describing the recent negotiations which have resulted in the settlement of the questions in dispute between the Greek and Egyptian Governments.

Your action in this matter is approved by Her Majesty's Government.

I am, &c.

(Signed) SALISBURY.

No. 68.

Sir E. Baring to the Marquis of Salisbury.—(Received February 24.)

My Lord, *Cairo, February* 9, 1890.

I HAVE the honour to transmit herewith copy of a Circular issued by the Minister of Finance, stating that the Council of Ministers had decided on remitting the arrears, due to the Government up to the end of last year, of the professional tax and of the tax on oil-presses. This measure will no doubt afford considerable relief to the population.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 68.

Extract from the "Journal Officiel" of February 8, 1890.

MINISTÈRE DES FINANCES.

Direction des Contributions Directes.

Circulaire No. 77.

LE Décret du 17 Décembre, 1889, a supprimé la taxe sur les pressoirs à huile, l'a remplacée par des droits d'octroi à percevoir sur les graines oléagineuses et sur les huiles fabriquées dans le pays; celui du 9 Janvier, 1890, a également supprimé l'impôt professionnel et a établi l'impôt des patentes; ces deux Décrets doivent recevoir leur application à partir du 1er Janvier, 1890.

Les arriérés de l'impôt professionnel et de la taxe sur les pressoirs à huile s'élèvent, à fin 1889, à £ E. 19,213 d'après les États de recouvrement qu'a reçus le Ministère des Finances.

Le Conseil des Ministres, saisi de la question de ces arriérés, en a décidé la radiation dans sa séance du 3 Février courant; je vous adresse, en conséquence, la présente Circulaire en vous invitant à procéder à la radiation des sommes provenant de ces deux chefs de contributions, qui n'ont pas été recouvrées jusqu'à ce jour, et à me faire parvenir des États des sommes que vous aurez ainsi radiées.

Vous voudrez bien, en même temps, porter la décision du Conseil des Ministres à la connaissance des contribuables, et à cet effet faire afficher des Avis dans les endroits les plus en vue de chaque village ou de chaque "toumn" de votre ressort.

Le Ministre des Finances,
(Signé) RIAZ.

Le Caire, le 4 Février, 1890.

(Translation.)

MINISTRY OF FINANCE.

Department of Direct Contributions.

Circular No. 77.

THE Decree of the 17th December, 1889, has suppressed the tax on oil presses and replaced it by octroi duties, to be collected on oleaginous grains and on oil manufactured in the country; the Decree of the 9th January, 1890, has also suppressed the professional tax and established a tax on patents; these two Decrees should be put into force from the 1st January, 1890.

The arrears of the professional tax and of the tax on oil presses amounted, at the end of 1889, to £ E. 19,213 according to the statements of sums due received by the Ministry of Finance.

The Council of Ministers, having considered the question of these arrears, decided on their cancellation at their meeting of the 3rd February; I accordingly address to you this Circular to ask you to proceed with the cancellation of the sums derived from these two heads of contribution, which have not been recovered up to this day, and to communicate to me statements of the sums which you will have thus cancelled.

You will be good enough at the same time to communicate the decision of the Council of Ministers to the taxpayers interested, and to put up a notice with that object in the most conspicuous place in each village or "toumn" in your district.

The Minister of Finance,
(Signed) RIAZ.

Cairo, February 4, 1890.

No. 69.

Sir E. Baring to the Marquis of Salisbury.—(*Received February* 24.)

My Lord, *Cairo, February* 14, 1890.

I HAVE the honour to inclose a copy of a Khedivial Decree which has been published in the official journal, regulating afresh the dates at which the land tax is to be paid. This question is only second in importance to the amount of the tax. It is, moreover, a very difficult question to settle satisfactorily, more especially in dealing with the small proprietors. The difficulty consists in this: that if the tax is collected before the crop is ripe, the fellah has to run into debt in order to pay. If, on the other hand, the tax is collected after the crop has been reaped and has been sold, the fellaheen, whose habits are notoriously improvident, will, in a great many cases, have spent the money which they have realized, and will equally be obliged to contract a loan in order to pay the taxes. Experience has, therefore, shown that by far the best plan, both in the interests of the Government and of the cultivators themselves, is to ask for the taxes just at the moment when the fellaheen having reaped their crops are about to sell them. But it is, of course, not always easy to hit upon this precise moment in every case.

During the last cotton season, the subject presented somewhat special difficulties, and as a good many complaints have been made about the manner in which the taxes were collected, I think it desirable that I should inform your Lordship of the facts of the case.

Last year a good deal of cotton seed, known locally by the name of "Mit Afifi," was used. This is a new description of seed. In the month of September last it was represented to the Egyptian Financial Department by the provincial authorities that this class of cotton came to maturity some weeks earlier than the cotton grown from the seed heretofore in general use in Egypt. They, therefore, asked for permission to collect the taxes earlier than usual, and the permission was accorded to them.

I have made many inquiries on this subject, and I am led to believe from all I have heard that in some individual cases a certain amount of hardship was inflicted, but that a change in the dates of payment had become necessary. At the same time, I think it is to be regretted that the change was carried out in the manner which I have described above. One of the most important things in this country is that the people should understand that the Government will adhere to decisions which have been formally and officially announced, and that they are not, as was formerly the case, exposed to capricious action on the part of the Executive. I think it would, on the whole, have been wiser to have risked the loss of a certain amount of revenue and to have made the change only applicable to next season. The Decree of which I now inclose a copy merely ratifies for future years the practice which was allowed to prevail during the past season.

I ought to mention that when the Egyptian Government arrived at the decision to which I have alluded above, Mr. Palmer was absent from Egypt.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 69.

Extract from the "Journal Officiel" of February 12, 1890.

Décret.

NOUS, Khédive d'Égypte,

Vu nos Décrets des 25 Février, 1880, 24 Février, 1886, et 16 Février, 1888;

Sur la proposition de notre Ministre des Finances, et l'avis conforme de notre Conseil des Ministres;

Le Conseil Législatif entendu:

Décrétons:

Article 1er. Les échéances du paiement de l'impôt kharadji et ouchouri et de l'impôt sur les dattiers, sont modifiées de la manière indiquée ci-après, à partir du 1er Janvier, 1890.

Mois.	Échéances de l'Impôt Kharadji et Ouchouri.							Échéances de l'Impôt sur les Dattiers.		
	Haute-Égypte.				Basse-Égypte.			Haute-Égypte.		Basse-Égypte.
		Tarif Spécial.				Tarif Spécial.				
	Tarif Général.	Moudirieh de Guiseh.	Moudirieh de Fayoum.	Markaz Halfa, El Kenouze, et Assouan.	Total Général.	Pays des Rizières Barari et El-Borollos.	Markaz Achmoun et pays d'El-Hagher dans les Districts d'Abouhomos et de Damanhour.	Tarif Général.	Tarif Spécial pour la Moudirieh de Fayoum.	Tarif Général.
	K.	K.	K.	K.	K.	K.	K.	K.	K.	K.
Janvier	..	2	..	1	2	..	2	..	..	..
Février	..	1	..	..	1	..	1	..	..	..
Mars	2	2	..	..	..	..	..	..	..	..
Avril	3	3	2		..	..	..	..	..	..
Mai	4	4	4		..	..	2	..	..	..
Juin	4	4	4		2	..	3	..	..	..
Juillet	4	3	..		3	..	4	..	..	..
Août	3	3	..	2	..	..	1	4	..	..
Septembre	2	..	2	7	..	..	..	8	8	5
Octobre	1	1	5	7	6	4	4	8	8	8
Novembre	1	1	5	4	7	10	4	4	8	9
Décembre	..	..	2	1	3	10	3	..	..	2
	24	24	24	24	24	24	24	24	24	24

Art. 2. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Abdin, 21 Gamad-Akher, 1307 (11 Février, 1890).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) RIAZ.

No. 70.

The Marquis of Salisbury to Sir E. Baring.

(Telegraphic.) *Foreign Office, February 24, 1890.*

I HAVE been informed that there is much misery and starvation among the fugitive Arab women and children in and around Suakin, and the distress is increasing.

Ascertain the exact state of the case, and let me know whether anything is being done to relieve the sufferers.

No. 71.

Sir E. Baring to the Marquis of Salisbury.—(Received by telegraph, February 27.)

My Lord, *Cairo, February 27, 1890.*

WITH reference to your Lordship's telegram of the 24th instant, I have the honour to inclose a Report I have received by telegraph from Her Majesty's Consul at Suakin, stating that great misery and starvation exists in the neighbourhood of Suakin.

In consequence of this telegram, I will move the Egyptian authorities to take

such steps as may be in their power in order to help the people of the district in question.

There can be very little doubt that great distress, due in a considerable degree to the misgovernment of the Dervishes, prevails over a large portion of the Soudan. One of the main considerations which has led me to resist the arguments adduced by some of the military authorities in favour of stopping the grain trade altogether from the Red Sea ports has been the serious responsibility of preventing the well-disposed inhabitants in the vicinity of Suakin from obtaining food. There is doubtless considerable force in these arguments, considered exclusively with reference to the Dervishes.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 71.

Vice-Consul Barnham to Sir E. Baring.

(Telegraphic.) *Suakin, February* 27, 1890.

YOUR telegram of 25th.

There is great misery and starvation in and around Suakin. There are about 3,000 to be fed.

There have been several deaths among young children.

I have seen Arabs eat cats and the undigested grain from animal manure.

Relief Committee formed yesterday.

Total of local monthly subscription, 48*l.* We want at least 250*l.* per month. More Arabs will come in from the mountains.

If we could have 600*l.* from England it would be sufficient for two months.

There is also great suffering at the other ports, but I cannot estimate it.

I will report by each mail.

No. 72.

Sir E. Baring to the Marquis of Salisbury.—(Received March 3.)

My Lord, *Cairo, February* 23, 1890.

IN a letter which I addressed to His Highness the Khedive after my tour in Upper Egypt I mentioned that the state of the hospitals which I had visited was in many cases very defective. I have now the honour to inclose an extract from a Report by Dr. Laffan, an Englishman in the Sanitary Administration, on the hospitals of Upper Egypt.

Your Lordship will observe that the hospitals at Beni Souef, Siout, Keneh, Esneh, and the Fayoum are now stated to be in a satisfactory condition, and that the hospital at Minieh, to the state of which I called special attention in my above-mentioned letter, has shown of late a marked improvement.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 72.

Extract of Dr. Laffan's Report on the Hospitals in Upper Egypt.

HAVING just completed a tour of inspection in Upper Egypt, I have much pleasure in being able to inform you that I was very satisfied with the cleanliness and order of the following hospitals, viz.:—Beni Souef, Siout, Keneh, Esneh and the Fayoum. The two former would hold their own with any provincial hospital at home. The credit of this is mostly due to the doctors, both young fellows, who do their utmost to carry out all my directions.

* * * * * *

Minieh.—I was very much surprised at the marked improvement in the cleanliness of this hospital since my last visit about a month ago. All my directions have since been carefully followed, and there was nothing that I could find fault with except that the cloths were not well washed: but this is a fault that existed until lately in most of

the hospitals, due to the fact that the soap served out for washing purposes is stolen, and the garments simply steeped in water. A great improvement was also visible in the treatment of the sick. There were several cases of amputation under treatment, and all were doing well.

I arrived at the hospital at 7·30 P.M., and made a careful inspection of the whole place. The doctor was not present and was not aware of my arrival. I found all the patients comfortable, and their wounds properly dressed. Since the 1st January there have been ten amputations performed, of which two died from gangrene of the stump. The operation register just distributed is most valuable, as I can see at a glance what surgical work has been done, with result, &c.

The Fayoum.—Mohamed Rouchdi, only posted there beginning of last month, is working well, and has got the hospital into some kind of order. I hope soon I will be able to report on it in the same terms that I have done for Siout and Beni Souef.

With regard to the improvements, I shall make a special report for them.

No. 73.

Sir E. Monson to the Marquis of Salisbury.—(*Received March* 4.)

(Extract.) *Athens, February* 26, 1890.

M. DRAGOUMIS told me this morning that he had been studying with much attention the correspondence which he had found in the archives of the Ministry of Foreign Affairs bearing upon the question of the expulsion of foreigners from Egypt. He did not see his way to authorizing M. Argyropoulo to consent to any arrangement which would put Greeks in an exceptional position as compared with other foreigners in Egypt. He quite admitted that the Greeks had that exceptional position on account of their numbers; but he maintained that the natural consequence was, that they should have exceptional advantages and not disadvantages.

I said that his reasoning might be ingenious, but that to an exceptional position were attached responsibilities as well as advantages.

M. Dragoumis explained that the Greek Government quite admitted the desirability of strengthening the powers of police in Egypt, and would be only too ready to accept any arrangement to which the other Powers agreed; but they could not deprive themselves of advantages secured by the Capitulations unless every other Power did the same. His Excellency argued that as Greece benefited by those Capitulations in virtue of the London Protocol and of the Treaty of 1855, she could less easily forego the advantages than if they had been the consequence of direct stipulation between Egypt and herself.

I said that Her Majesty's Government were of course extremely anxious to strengthen the hands of the Egyptian Government in dealing with crime and criminals, and were not likely to advocate anything which would press unfairly upon any nationality. But I feared there would be great difficulty in obtaining the consent of all the Powers to a large extension of the power of expulsion.

No. 74.

Sir E. Baring to the Marquis of Salisbury.—(*Received March* 10.)

My Lord, *Cairo, February* 27, 1890.

I HAVE the honour to transmit herewith a Khedivial Decree,* ordering the construction of agricultural roads in the provinces of Sharkieh and Dakalieh. The necessary funds will be provided by a small tax upon the lands which will be benefited by the measure in question.

The want of roads of this nature has been a considerable obstacle in the way of developing the resources of the country in the past, and great encouragement will be afforded to agriculture in the above-mentioned provinces by this Decree. It may be hoped that it will be found possible later on to extend similar measures to other parts of the country.

I have, &c.
(Signed) E. BARING.

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* Not printed.

No. 75.

Sir E. Baring to the Marquis of Salisbury.—(Received March 10.)

My Lord, *Cairo, March 2, 1890.*

IN continuation of my despatch of the 27th ultimo, I have the honour to report that the Egyptian Government has placed 500*l.* at the disposal of Colonel Holled Smith for the relief of the distress at Suakin. Colonel Holled Smith has, at the same time, been directed to provide work for the able-bodied men. It is obviously undesirable to give gratuitous relief except to those who are physically unable to work.

I have, &c.
(Signed) E. BARING.

No. 76.

Sir E. Baring to the Marquis of Salisbury.—(Received March 10.)

My Lord, *Cairo, March 2, 1890.*

THE large number of gambling-houses and other establishments of the kind which exist at Port Saïd have long attracted the attention of the Egyptian Government, they form a constant source of demoralization not only to the inhabitants of the town, but to the numerous travellers who pass a few hours there on their way to and from the East, and they are a very great obstacle to the preservation of public security.

The attempts which have heretofore been made by the Egyptian Government to suppress these establishments have failed, owing to difficulties being placed in their way by the Consular authorities of some of the nationalities involved, whose co-operation is, under the Capitulations, necessary to the enforcement of any such measure.

I was recently informed by the Minister for Foreign Affairs that the Representatives of France, Germany, and Greece had promised to suppress the gambling-houses kept by the members of their respective Colonies, provided that similar measures were enforced against the subjects of other nations, and I was, at the same time, asked whether I would assist the Egyptian Government in the matter. After consultation with Sir Charles Cookson, I replied that I should have great pleasure in aiding the Government of His Highness by all the means within my legal powers in their endeavours to suppress gambling-houses at Port Saïd.

Simultaneously with the above, I was asked to take steps in the case of a certain Mr. ————, a British subject, who, it appeared, kept an establishment at Port Saïd, of which a part was devoted to the purposes of gambling. I accordingly instructed Her Majesty's Consul at that place to warn Mr. ———— that, if he did not close this part of his establishment at once, legal proceedings would forthwith be taken against him. Mr. ———— promised to comply with my request, but complained that he alone should have been picked out, when many other houses of the same kind existed in the town. I have caused Mr. ———— to be informed that the action taken in his case is only a part of a general measure to be applied to all proprietors of gambling-houses without distinction, and, in acquainting the Egyptian Government with these facts, I have urged upon them the desirability of proceeding without delay to the enforcement of the measure in question generally throughout Port Saïd.

I have, &c.
(Signed) E. BARING.

No. 77.

Commander Crofton to Vice-Admiral Sir A. Hoskins.—(Received at Foreign Office, March 12.)

(Extract.) *"Landrail," at Suakin, February 5, 1890.*

I HAVE the honour to report that all is quiet here. The only doubtful Arabs in the neighbourhood are a small party of Amaras, about 150, at Handoub, under Achmet Mahmoud: he has little power with the surrounding tribes, and his attempts to force

the Hadendowas to pay him tribute as the representative of the Khalifa have been unsuccessful.

Abou Girgeh with some Bagara Dervishes is at Tokar, but has been in communication with the Government, from which I gather he is half inclined to desert the Mahdi's cause.

Mahdiism in fact is on the wane in the Eastern Soudan, and few Arabs now believe in it: what the country requires is rest and peace, and some settled form of Government.

All reports from the interior speak of great distress and famine, due to the want of rain, and forcible seizure of live stock by the Dervishes; and a number of starving and destitute Arabs have come into Suakin, some from long distances.

No. 78.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, March* 14, 1890.

I HAVE received your despatch of the 2nd instant relative to the steps taken by the Egyptian Government for the suppression of gambling establishments at Port Saïd, and I approve the action taken by you with a view to assist the Government of the Khedive in the matter.

I am, &c.
(Signed) SALISBURY.

No. 79.

Sir E. Baring to the Marquis of Salisbury.—(Received March 22.)

My Lord, *Cairo, March* 13, 1890.

I HAVE the honour to transmit herewith copy of a Report which I have received from Mr. Consul Barnham with reference to the starvation at present existing in and around Suakin. Your Lordship will observe that very considerable distress prevails, and that Mr. Barnham does not expect a cessation of the present state of affairs before the autumn.

Under these circumstances, the Egyptian Government will doubtless have to take steps to give some relief to the sufferings of the population in the neighbourhood of Suakin.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 79.

Consul Barnham to Sir E. Baring.

Sir, *Suakin, March* 5, 1890.

WITH reference to my telegram of the 27th ultimo, reporting upon the misery and starvation which exists in and around Suakin and the dependent ports, I have the honour to furnish the following details for the information of Her Majesty's Government.

The fact that famine exists in the Soudan has been before the public for the last nine months. It did not, however, excite attention at Suakin until the commencement of the present year, when wasted frames of mere skin and bone began to swell the number of ordinary mendicants in the streets.

Up to the month of August last the space outside the walls of the town and within the line of forts was clear of habitations. During the autumn and up to the present moment, however, crowds of Arabs have come in from the mountains bringing their mat shelters and a few chattels, and have formed a large encampment to the north of the town. I do not refer to these people as famine-stricken. They did indeed come to the coast because of the famine, but, as a whole, they appear to have found food without having recourse to charity. They were, however, the forerunners of the crowds of Arabs who have since come in who were already beggars in their own country

before they faced the fatigues of the journey to the coast, and now present a pitiable appearance.

The famine has been caused partly by the rebellion, and partly by the absence of sufficient rain during the past three years. Its effect is aggravated by the fact that the dhourra crop due in January was destroyed by locusts, and I think we must face the necessity of prosecuting relief operations until the autumn, when the next crop will be gathered. Therefore, when, in my telegram of the 27th ultimo, I spoke of a contribution of 600*l.* from England as sufficient for two months, I did not intend to imply that I expected a cessation of this state of things after that term. Many more will come in from the interior as time goes on, and relief must be given on an increasing scale, and continued through the summer. There must be an enormous loss of life in the far interior, where no remedy can be applied.

From the commencement of the year a large amount of private charity has been distributed, but it was only when the inquiry from Lord Salisbury was made known to the authorities that the question was taken up seriously.

On the 26th ultimo a meeting was held at Government House, and a Committee appointed, represented by all classes of the community.

A local monthly subscription of 48*l.* was promised, and a donation of 70*l.* Three days ago £E. 500 was contributed by the Khedivial Government.

Relief has been distributed to nearly 3,000 people during each of the last four days in the form of dhourra bread. Milk is given to the sick.

The distribution has hitherto been made close to the town walls, but as it is desirable on sanitary grounds to keep the town clear of the Arabs, two zarebas are to be constructed near the water-fort, one of which will serve as a hospital, the other as a point for the distribution of bread.

One has not to go far from the town gate in search of painful sights. I have seen children searching among garbage, collecting and eating the undigested grain from animal manure; cats are caught and eaten; and there have been many deaths from starvation. There were eleven deaths last Saturday, and I do not believe that is below the average daily number. I believe it is the intention of the Governor-General to send relief to the ports of Agig, Mersa Halaïb, and Rowayah.

One feature of the distress here is the number of Sheikhs, once in easy circumstances, who are here in quest of help from the Government, but whose pride forbids them to accept the ordinary relief. Of these, a certain number receive small monthly payments from the Pacification Fund, but many do not enjoy this privilege, and are in great distress. It would be politic, and remembered gratefully in the future, if a more liberal system of payments among these Sheikhs were adopted. Indeed, the famine, relieved by charity from Cairo or London, presents a grand opportunity for the authorities here to win a permanent hold upon the sympathy of these people.

Relief operations are never entirely satisfactory. It is difficult to discriminate between cases, and impostors will always be found. I am glad that we have a medical man upon our Committee. None of the Arabs, however famished, should require relief for an indefinite period, and it will be a proper question for our Committee to consider how they can be rendered independent. It is difficult to employ them on public works in a place where convict labour is so extensively employed. I will report upon this aspect of the question later on.

I would mention one point more, viz., the large number of helpless women who have come in, evidently widows of those who have been killed during the course of the rebellion. It will become an anxious question for the Government to decide what should be done with them.

In conclusion, I would express a hope that steps may be taken at home to bring this question prominently before the public, with a view to obtaining additional funds.

I have, &c.
(Signed) HENRY D. BARNHAM.

No. 80.

Sir E. Baring to the Marquis of Salisbury.—(*Received March* 31.)

My Lord, *Cairo, March* 19, 1890.

I HAVE the honour to transmit copy of a Memorial addressed by the European colony at Alexandria to M. Ortega, the Doyen of the Diplomatic Corps, on the

subject of the new Patent Law. A meeting of the Consuls-General was held to consider the question, and, in concert with my colleagues, I gave my assent to the terms of the reply which M. Ortega proposed to return to the memorialists, and of which a copy is inclosed herewith. Your Lordship will see from this letter that the Consuls-General are unwilling to take any steps to procure the postponement of the putting into execution of the Law in question. I trust your Lordship will approve the action I have taken in the matter.

I have. &c.
(Signed) E. BARING.

Inclosure 1 in No. 80.

Memorial addressed by the European Colony at Alexandria to M. Ortega.

A M. de Ortega y Morejon, Agent et Consul-Général d'Espagne, Doyen du Corps Diplomatique au Caire.

M. le Doyen,

LES colonies Européennes en Égypte, au milieu du malaise profond dont elles souffrent depuis longtemps, voient avec une juste appréhension les mesures fiscales que le Gouvernement Égyptien a déjà prises ou s'apprête à prendre contre elles.

L'établissement de l'impôt sur la propriété bâtie remonte à peine à deux ans, et pèse lourdement sur toutes les classes de la population.

Il y a quelques semaines, la Loi sur les Municipalités créât de nouvelles charges qui frappent non seulement tous les habitants de notre ville, propriétaires et locataires, mais encore le commerce tant d'exportation que d'importation auquel il impose un droit de demi pour mille sur la valeur des marchandises exportées ou importées.

Le Projet de Loi sur les Patentes est publié et la Loi sur le Timbre est à l'étude!

Nous ne nous occuperons pas de cette dernière. Nous osons espérer encore que le Gouvernement reculera lui-même devant les inconvénients qu'elle présente.

La lourde charge dont elle grèverait le commerce, la gêne qu'elle imposerait à tous ses mouvements, les difficultés et les conflits que son application entraînerait, en feraient un instrument de désorganisation.

Et d'ailleurs, les droits créés dans la Loi sur la Municipalité, et qui n'étaient pas prévus dans les concessions faites au Gouvernement Égyptien par la Conférence de Londres, lui donnent déjà ce qu'il pouvait légitimement demander à une Loi sur le Timbre.

Mais pour ce qui concerne les patentes, la Loi a été mise en vigueur pour les indigènes, et le projet qui atteindra les étrangers semble prêt à être adopté.

Nous ne voulons pas croire cependant qu'il soit trop tard pour présenter encore une fois aux Puissances auxquelles il est soumis les graves objections qu'il fait naître.

Nous savons que les Puissances, dans les Conventions auxquelles ont abouti les travaux de la Conférence de Londres, ont admis qu'en principe il était équitable que les Européens fussent soumis aux mêmes charges que les indigènes et ont accepté ainsi qu'il put être créé un impôt des patentes frappant indistinctement l'étranger et l'indigène.

Il faut cependant reconnaître qu'au moment où ce principe était admis, le Gouvernement Égyptien paraissait dans une situation inquiétante au point de vue financier et que le principal but des concessions qui lui étaient alors faites était de lui créer des ressources nouvelles.

Ces ressources lui sont-elles encore nécessaires aujourd'hui dans la même mesure?

Il est difficile pour lui de le prétendre, car sa situation financière, d'après ses propres budgets, se solde par des excédents, qui ne lui permettent plus d'invoquer l'urgence de ses besoins.

Et, comme nous le montreront plus bas, il n'en est malheureusement pas de même de la population Européenne, dont la situation s'est empiré à mesure que le Trésor augmentait ses ressources.

Nous pensons qu'il y a là une question de fait qui mérite toute l'attention des Puissances, car il est de principe que les impôts ne doivent pas peser sur les contribuables au delà des besoins de l'État qui les exige.

Quant aux considérations d'équité que l'on a fait valoir contre nous, qu'il nous soit permis de rappeler la situation réelle des Européens et des indigènes.

N'est-il pas de notoriété publique, au point de vue des impôts actuels, que l'impôt

foncier, qui est le principal revenu du Gouvernement, pèse sur les propriétés Européennes comme sur celles des indigènes ?

Que les Européens supportent également la Douane, et que l'octroi pèse principalement sur eux ; qu'ils ont à soutenir les établissements de bienfaisance, les hôpitaux, les écoles, dont la charge leur incombe presque uniquement, et dont les indigènes profitent comme eux,

N'est-il pas de notoriété publique également que dans les professions et les métiers où les Européens et les indigènes sont en concurrence, les indigènes, à raison de leur manière de vivre, et du surcroît de dépenses que les inconvénients d'un climat sous lequel ils ne sont pas nés imposent aux Européens, ont un avantage considérable sur ces derniers ?

Cela est si vrai que dans bien des cas, et toutes les fois que l'Européen ne trouve pas dans une habileté supérieure ou dans quelque autre circonstance spéciale les moyens de lutter, la concurrence lui devient impossible, et qu'il est obligé de laisser entièrement la place à l'indigène.

C'est donc bien mal apprécier les faits et la situation réciproque des deux populations que de représenter les indigènes comme ayant besoin d'être protégés par le régime fiscal contre le commerce ou l'industrie des Européens.

En réalité, les deux populations adonnées à des habitudes et à des professions différentes se complètent et s'entraident mutuellement.

La population indigène est essentiellement agricole, et elle a bénéficié depuis de longues années de tout ce qui a été fait et dépensé dans les pays.

C'est à son profit que l'extension des terrains cultivables, la création de canaux et de chemins de fer, ont englouti des sommes considérables, et sa situation s'est considérablement améliorée depuis ces dernières années.

C'est à son profit encore que les intérêts de la Dette Publique ont été diminués.

Et la Loi sur les Patentes ne les touchent presque pas.

Quant aux Européens qui, par leur commerce, servent avant tout d'intermédiaire aux indigènes, le contre-coup de presque toutes ces améliorations a contribué à diminuer leurs profits, et aujourd'hui c'est surtout sur eux que l'impôt des patentes arrive à peser.

Il est certain en effet que les principales catégories de patentables : Sociétés Financières, banquiers, assureurs, négociants en gros, tant pour l'exportation que l'importation, sont presque uniquement des Européens.

C'est donc réellement, sous prétexte d'équité et d'égalité, une charge imposée presque uniquement aux Européens, et qui les frappe dans les professions où comme négociants et financiers, ils rendent aux indigènes les plus utiles et les plus indispensables services bien loin de les gêner ou de leur faire une concurrence quelconque. Les droits, d'ailleurs, surtout pour ce qui concerne le petit commerce, sont encore très élevés et de nature à aggraver une situation déjà pénible.

Ainsi, des motifs qui avaient amené les Puissances à consentir ces nouveaux impôts, l'un, tiré des embarras financiers du Gouvernement Égyptien, n'existe plus, l'autre n'est nullement justifié en fait.

Devrons-nous croire cependant que le consentement donné en 1885 ne peut plus être remis en question ?

A coup sûr on peut tout au moins examiner si le moment est favorable pour l'application de ces nouvelles mesures, ou si elles doivent encore être ajournées.

Or, à cet égard, qui ne connaît la condition fâcheuse du commerce Européen en Égypte ?

Depuis plusieurs années tout décroît, et la gêne devient de jour en jour plus générale et plus pénible. C'est ce que les déclarations précédentes des diverses Chambres de Commerce d'Alexandrie ont déjà plus d'une fois signalé à l'attention de leurs Gouvernements.

Qu'il nous soit permis aujourd'hui d'en montrer une preuve palpable, et qui est de nature à inspirer les plus tristes réflexions.

Les statistiques de la Douane qui peuvent faire suivre d'une manière exacte le mouvement du commerce, accusaient en 1888 une diminution de 11,000,000 fr. sur les importations relativement à 1887.

Et en 1889 elles accusent une nouvelle diminution de 19,000,000 fr. sur 1888 !

Il est notoire cependant que les évaluations de la Douane, peut-être à cause même de cette diminution, sont majorées d'année en année ; de telle sorte que cette diminution de 30,000,000 fr. est en réalité beaucoup plus considérable.

N'est-ce pas là l'indice d'une situation critique, d'un danger sérieux ?

Et c'est ce moment que l'on choisirait pour frapper le commerce d'un troisième impôt, après ceux de la propriété bâtie et de la Municipalité ?

Nous ne pouvons le croire, et si le droit de patente doit un jour être imposé aux Européens, c'est dans un moment plus prospère, lorsque la population sera déjà habituée aux deux impôts nouveaux dont elle est frappée, que l'on pourra essayer de lui faire supporter encore cette nouvelle charge.

Nous avons trop de confiance dans la prudente sollicitude de nos Gouvernements pour ne pas espérer qu'ils auront égard aux observations que nous venons leur soumettre.

Agréez, &c.

Alexandrie, le 28 *Février*, 1890.

(Translation.)

To M. Ortega y Morejon, Agent and Consul-General for Spain, Doyen of the Diplomatic Body at Cairo.

M. le Doyen,

THE European colonies in Egypt, in the midst of the profound uneasiness from which they have long been suffering, look with just apprehension upon the fiscal measures which the Egyptian Government has already taken, or is preparing to take, against them.

The tax upon buildings was imposed barely two years ago, and weighs heavily upon all classes of the population.

A few weeks since, the Law with regard to Municipalities created fresh burdens, which fall not only upon all the inhabitants of our town, whether proprietors or lodgers, but also upon the export and import trade, on which it imposes a duty of half per thousand upon exported and imported merchandize.

The draft of a Patent Bill is published, and the Stamp Law is under consideration.

We will make no remarks upon the latter, as we venture to hope that the Government will yet yield to the inconveniences to which it would give rise.

Owing to the heavy burdens which it would throw upon commerce, its hampering effect upon circulation, the difficulties and conflicts which its application would give rise to, it would become an instrument of disorganization.

Moreover, the taxes to be raised under the Municipality Law, which were not foreseen in the concessions made to the Egyptian Government by the Conference of London, give it all it can reasonably expect from a Stamp Law.

But as regards patents, the Law has been put into force in the case of natives, and the project which will affect foreigners seems on the point of being adopted.

We cannot believe, however, that it is too late to lay before the Powers, to which it is being submitted, the grave objections to which it gives rise.

We know that the Powers, in the Conventions which resulted from the labours of the Conference of London, admitted that it was just in principle that Europeans and natives should be subjected to the same charges, and thus practically assented to the establishment of a patent tax which would be applicable to foreigners and natives alike.

But it must, however, be admitted that, at the time when this principle was recognized, the Egyptian Government was in financial difficulties, and that the principal object of the concessions which were then made was to create new sources of revenue.

Are these sources of revenue equally necessary to-day ?

The Government can scarcely maintain this, as its financial position, according to its own budgets, shows surpluses, which prevent its pleading the urgency of its needs.

And, as we shall proceed to show, the same cannot, unfortunately, be said of the European population whose position has deteriorated, in proportion as the resources of the Treasury have increased.

We think that this is a question of fact which specially merits the attention of the Powers, for it is a recognized principle that taxpayers should not be burdened with taxes beyond what the needs of the State absolutely require.

As for the considerations of equity which have been evoked against us, we beg leave to call attention to the actual relative position of Europeans and natives.

Is it not a matter of public notoriety, speaking of the actual taxes, that the land-tax, the principal source of Government revenue, is imposed upon European as well as upon native estates ?

That the Europeans are subject also to the customs dues, and that the "octroi"

falls principally upon them; that they have to maintain the charitable institutions, hospitals, and schools, of which they pay almost the whole expense, while the natives share with them in their advantages?

Is it not equally well known that in all professions and trades in which there is competition between Europeans and natives, the latter have a considerable advantage owing to their manner of life, and the extra expenses imposed upon Europeans from the inconvenience resulting from a foreign climate?

This is so true that in many cases—in fact, whenever Europeans have not shown superior aptitude, or been aided by some special circumstances—they have been unable to compete with, and been compelled to make way for the natives.

A want of appreciation of the actual facts, and of the relative position of the two populations, can alone represent the natives as in need of fiscal protection against European trade and industry.

As a matter of fact, the two populations, with their different habits and professions, each supply what is wanting in the other, and afford each other mutual assistance.

The native population is essentially agricultural, and has for many years benefited from what has been done for, and spent upon, the land.

It is the natives who have profited by the considerable sums sunk in the extension of the area of cultivated land and in the construction of canals and railways, and their general condition has been considerably improved during the last few years.

They also have profited by the reduction of the interest on the Public Debt, while the Patent Law hardly affects them.

As for the Europeans, whose trade places them towards the natives in the position of middlemen, the effect of all these improvements has been to lessen their profits, and, to-day, it is upon them that the weight of the Patent Law falls.

There is, in fact, no doubt that the principal professions which are assessable for the patent tax, such as financial societies, bankers, insurance offices, wholesale merchants, whether export or import, are almost solely filled by Europeans.

It is thus, in reality, a burden imposed, under the pretext of equity and equality, almost solely on Europeans, and one which affects professions in which, as merchants or financiers, far from disturbing or in any way competing with the natives, they are able to render them the most useful and indispensable services. Moreover, the duties, especially in the retail trade, are still very high, and of a nature to aggravate an already trying situation.

Thus, of the motives which induced the Powers to agree to these new taxes, the one, namely, the desire to relieve the financial embarrassments of the Egyptian Government, no longer exists, while the other is not justified by facts.

Are we, nevertheless, to suppose that the consent given in 1885 can never again be called in question?

Surely it is at least possible to consider whether the moment is favourable for the application of these new measures, or whether they should not be still further postponed.

Now, with regard to this point; every one knows the unfortunate condition of European trade in Egypt.

During the last few years there has been a general shrinkage, and the distress becomes from day to day more general and more painful. The different Chambers of Commerce of Alexandria have already in previous statements more than once called the attention of their Governments to this point.

We crave permission to give here a palpable proof of our contention, and one which is calculated to inspire the saddest reflections.

The Custom-house statistics, which enable one to follow exactly the movements of commerce, show that the value of the imports was 11,000,000 fr. less in 1888 than in 1887; while in 1889 they show a further decrease of 19,000,000 fr.!

It is, however, notorious that the estimates of the Custom-house, perhaps on account of this very diminution, have been from year to year too high; so that this diminution of 30,000,000 fr. represents in reality a considerably larger sum.

Does not this prove the situation to be critical, and the danger serious?

And this is the moment chosen for burdening commerce with a new tax, in addition to those upon buildings and municipalities?

We cannot believe it; if the Patent duty is ever to be imposed, it can only be at a time of greater prosperity, when the population has become accustomed to the imposition of the two new taxes, that it will be possible to attempt to make it support this new charge.

We have too much confidence in the provident care of our Governments not to

hope that they will pay attention to the observations which we have here submitted to them.

Accept, &c.

Alexandria, February 28, 1890.

Inclosure 2 in No. 80.

Reply to Memorialists.

Messieurs, *Le Caire, le* 17 *Mars*, 1890.

J'AI soumis le Mémoire que vous avez bien voulu me transmettre à l'appréciation du Corps Diplomatique.

Comme à la suite d'un échange d'idées sur le contenu de ce Mémoire, il a été reconnu que le Gouvernement Égyptien est déjà assuré de l'assentiment des Puissances les plus intéressées, il ne paraît pas possible au Corps Diplomatique de faire une démarche dans le sens indiqué dans ce document.

Toutefois, la majorité de mes collègues se sont entendus pour recommander au Gouvernement Égyptien que le produit de l'impôt des patentes soit affecté, dans la limite du possible, à des travaux de voirie et d'assainissement des villes.

Veuillez, &c.

(Signé) C. DE ORTEGA Y MOREJON.

(Translation.)

Gentlemen, *Cairo, March* 17, 1890.

I SUBMITTED the Memorial which you forwarded to me, for the consideration of the Diplomatic Body.

As from the communications which have passed in regard to the contents of this Memorial, it appears that the Egyptian Government is already assured of the assent of the Powers most interested, the Diplomatic Body have decided that it is impossible to take any steps in the sense indicated in that document.

The majority, however, of my colleagues have agreed to recommend to the Egyptian Government that the produce of the Patent tax should be appropriated to the maintenance of roads, &c., and the sanitary service of towns.

Accept, &c.

(Signed) C. DE ORTEGA Y MOREJON.

No. 81.

Sir E. Baring to the Marquis of Salisbury.—(Received March 31.)

(Extract.) *Cairo, March* 22, 1890.

IN continuation of my despatch of the 7th January, transmitting copy of a Khedivial Decree instituting a Municipality at Alexandria, I have the honour to report that the Municipality has now been definitely constituted.

It was provided in the Decree that there were not to be more than three of the same nationality among the elected members. The greater part, however, of those chosen, though nominally subjects of different countries, are in reality of Greek or Levantine origin. This is due to the fact that the Greek colony, who comprise about 250 out of a total electoral body of 700, gave a solid vote in favour of certain candidates, and were thereby able to effect their election, inasmuch as the votes of the rest of the electors, being scattered over the different candidates without any definite arrangement, did not have any influence at all proportionate to their number upon the result.

P.S.—I have the honour to inclose copy of the Regulations which have been drawn up by the Government for the Municipality, in accordance with Article 45 of the Decree.

Inclosure in No. 81.

Supplement to the "Journal Officiel" of March 22, 1890.

PARTIE OFFICIELLE.—MINISTÈRE DE L'INTÉRIEUR.

Règlement d'Organisation de la Municipalité d'Alexandrie.

LE Ministre de l'Intérieur,
Vu l'Article 45 du Décret du 5 Janvier, 1890;

Arrête :

Article 1er.—*Composition de la Délégation Municipale.*

La Commission Municipale d'Alexandrie, lors de sa première réunion et après l'élection de son Vice-Président, conformément à l'Article 12 du Décret sus-visé, élira, dans son sein, pour la durée d'une année, la Délégation Municipale qui sera composée de quatre membres et de deux suppléants.

Le Président et le Vice-Président de la Commission Municipale président également sa Délégation.

Article 2.—*Durée des Fonctions de la Délégation Municipale.*

Les fonctions de la Délégation dureront une année qui commencera le 1er Janvier et finira le 31 Décembre, excepté pour la première année qui commencera le jour de l'élection de la Délégation et finira le 31 Décembre, 1890.

Les nouvelles élections de la Délégation seront faites dans la dernière semaine de chaque année.

Les membres sortants peuvent être réélus.

Article 3.—*Élection des Membres de la Délégation Municipale.*

L'élection des membres de la Délégation Municipale et de leurs suppléants se fera au scrutin secret et à la majorité absolue des voix.

Si, au premier tour de scrutin, aucun membre n'a obtenu la majorité absolue, par rapport aux vingt-huit membres composant la Commission Municipale, il est procédé à un second tour, et alors l'élection aura lieu à la majorité relative des suffrages exprimés.

En cas de partage des voix à la suite du second tour de scrutin, l'élection sera faite par voie de tirage au sort. Le tirage au sort sera fait par le Président.

Si le Vice-Président, un membre de la Délégation ou un suppléant déclarent, dans la même séance où leur élection aura eu lieu, ne pas l'accepter, il sera procédé, séance tenante, à une nouvelle élection, à la majorité relative des suffrages exprimés.

Article 4.—*Attributions Générales de la Délégation Municipale.*

La Délégation est l'organe administratif et exécutif permanent de la Commission.

Elle fonctionne aussi, au nom de la Commission, quand celle-ci n'est pas réunie, pour toutes les affaires qui lui sont déférées par le présent Arrêté ou lui sont déférées par tous Arrêtés ultérieurs ou qui lui seront confiées par la Commission dans la limite des attributions de cette dernière.

Elle continue ses fonctions aussi dans le cas de nouvelles élections jusqu'à ce que la Commission Municipale nouvellement constituée ait élu une nouvelle Délégation.

Article 5.—*Attributions spéciales de la Délégation Municipale.*

Les attributions de la Délégation Municipale sont plus spécialement les suivantes :—

(*a.*) La correspondance avec le Ministère de l'Intérieur, le Gouvernorat et les autres autorités de la ville, ainsi qu'avec les particuliers;

(*b.*) L'examen des réclamations contre la validité des élections et la rédaction des Rapports à présenter à ce sujet à la Commission;

(*c.*) La préparation du Budget à soumettre aux délibérations de la Commission ;

(*d.*) L'étude de toutes propositions relatives à l'augmentation ou à la modification de tous crédits ouverts au budget des dépenses ou à l'ouverture de nouveaux crédits ;

(*e.*) L'étude de toutes propositions tendant à l'établissement de centièmes additionnels aux taxes existantes, à la création de nouvelles taxes et à l'ouverture d'emprunts dans les limites fixées par l'Article 31 du Décret du 5 Janvier, 1890 ;

(*f.*) L'examen du compte annuel prévu à l'Article 43 de ce Décret et la présentation à la Commission des observations que cet examen lui aura suggérées ;

(*g.*) L'étude des projets, plans, et devis des travaux neufs ou d'entretien à soumettre aux décisions de la Commission (Article 30 de ce même Décret) ;

(*h.*) L'étude préparatoire et les propositions relatives aux affaires contentieuses et toutes autres du ressort de la Commission ;

(*i.*) La réception de toutes demandes adressées à la Commission, pour telles fins que le droit ;

(*k.*) L'expédition des affaires courantes de la Municipalité ;

(*l.*) L'exécution des décisions de la Commission Municipale ;

(*m.*) Les décisions à prendre dans les matières qui lui seront spécialement confiées par la Commission ;

(*n.*) Les propositions relatives aux nominations, promotions, et licenciements des employés municipaux rétribués sur le Budget Municipal, qui seront faites conformément à l'Article 22 du Décret du 5 Janvier, 1890, sur ces propositions ;

(*o.*) Le pouvoir disciplinaire à l'encontre de ces employés, en vertu des Règlements qui seront arrêtés à cet égard ;

(*p.*) Le concours à prêter au Président pour l'aider dans l'exercice des attributions qui lui sont confiées par le Décret du 5 Janvier, 1890 ;

(*q.*) L'élaboration du Projet de Règlement intérieur de la Municipalité prévu par l'Article 16 du Décret du 5 Janvier, 1890.

Article 6.—*Bureaux Municipaux.*

Ce Règlement intérieur comprendra les dispositions relatives à l'établissement et à l'organisation des Bureaux Municipaux, à leurs attributions détaillées, à la formation du cadre du personnel, et à la fixation des traitements.

Ces Bureaux comprendront :—

(*a.*) Le Secrétariat ;

(*b.*) Le Service de la Voirie et des Travaux Publics ;

(*c.*) Le Service de Santé et d'Hygiène de la Ville.

Article 7.—*Secrétariat.*

Le Secrétariat comprend la direction générale de tous les Bureaux Municipaux, ainsi que la direction spéciale du Service Administratif, Financier, et du Contentieux.

Article 8.—*Service Administratif.*

Le Service Administratif comprend la correspondance générale, la rédaction des procès-verbaux des séances de la Commission et de la Délégation Municipale, l'assistance des indigents, les établissements municipaux de bienfaisance, les écoles, les archives, l'inventaire de tous biens mobiliers et immobiliers municipaux qui doit être publié tous les ans, et, en général, tous autres objets sur lesquels la loi, les Règlements, ou le Gouvernement appellent la Commission à délibérer.

Article 9.—*Service Financier.*

Le Service Financier est chargé :

(*a.*) De la réception des droits perçus par l'Administration des Douanes et de la Daïra Baladieh, pour compte de la Municipalité, conformément à l'Article 40 du Décret du 5 Janvier, 1890.

(*b.*) De la perception des taxes dont le recouvrement est fait directement par la Municipalité.

(*c.*) Du paiement des dépenses dûment ordonnancées.

(*d.*) De la comptabilité des diverses opérations de recettes et de dépenses de la Municipalité.

Article 10.—*Budget.*

Les recettes et les dépenses de la Municipalité ne peuvent être faites qu'en vertu du budget de l'exercice ou des autorisations supplémentaires.

Article 11.—*Recettes Recouvrées par d'autres Administrations.*

Les droits perçus par l'Administration des Douanes et de la Daïra Baladieh pour compte de la Municipalité doivent lui être versés dans la première semaine du mois suivant.

Ces versements sont accompagnés de bordereaux indiquant la nature des recettes et le montant perçu.

Les bordereaux doivent être signés par le Chef ou le Sous-Chef de l'Administration qui effectue le versement.

L'accusé de réception doit être signé par le Président ou le Vice-Président, et contresigné par le Secrétaire de la Commission Municipale.

Article 12.—*Recettes recouvrées par la Municipalité.*

Le Secrétaire, en sa qualité de Chef du Service Financier, est chargé, sous sa responsabilité personnelle, du recouvrement des autres recettes opéré directement par la Municipalité.

Il est chargé, sous les ordres du Président, ou à son défaut, du Vice-Président, de faire contre les débiteurs en retard les poursuites nécessaires, d'empêcher les prescriptions, de veiller à la conservation des droits de la Municipalité.

Il aura sous ses ordres un caissier chargé des encaissements et des paiements et responsable de la garde des fonds.

Le Secrétaire et le caissier devront fournir un cautionnement dont le montant sera fixé par la Commission Municipale.

Article 13.—*Dépenses.*

Le Secrétaire, en sa dite qualité, est également chargé de la liquidation des dépenses de la Municipalité.

Les mandats d'ordonnancement des dépenses signés par le Président, ou à son défaut par le Vice-Président, doivent énoncer le nom de l'ayant droit, la nature de la dépense, et le motif du paiement, la somme à payer, le crédit du budget sur lequel la dépense est imputée. Ils doivent être appuyés des pièces justificatives prescrites par les Règlements de la Comptabilité Générale de l'État, et particulièrement des autorisations prévues par le Décret du 5 Janvier, 1890.

Le Secrétaire est responsable de tous paiements qui s'effectueraient sans l'accomplissement de ces formalités.

Article 14.—*Compte Annuel.*

La comptabilité de la Municipalité est soumise à la vérification des agents comptables désignées par le Directeur-Général de la Comptabilité de l'État.

La vérification est opérée tous le trois mois dans les bureaux mêmes de la Municipalité, d'après les pièces justificatives qui doivent être présentées à l'agent comptable.

Le compte annuel de la Municipalité doit présenter, par colonnes distinctes, et dans l'ordre des chapitres et des articles du budget :—

En Recettes.

(*a.*) La nature des recettes ;
(*b.*) Les évaluations du budget ;
(*c.*) Les sommes recouvrées.

En Dépenses.

(*a.*) Les articles des dépenses du budget ;
(*b.*) Le montant des crédits ouverts au budget ou accordés par des autorisations ultérieures ;
(*c.*) Le montant des sommes payées sur ces crédits pendant le courant de l'exercice.

Les comptes des trois premiers mois de l'année 1890 seront arrêtés par le Ministre des Finances, à la fin du mois d'Avril 1890, sur la base des recettes et des dépenses de ce trimestre, et le solde débiteur ou créditeur sera porté au compte de la Municipalité.

Un extrait du compte général annuel de la Municipalité, revêtu du visa de vérification et signé par le Président, ou à son défaut par le Vice-Président de la Commission Municipale et par le Secrétaire, est transmis au Ministère de l'Intérieur, le 15 Février de l'année suivante, avec un extrait certifié du procès-verbal de la séance de la Commission où le compte a été examiné.

Article 15.—*Exercice Financier.*

Le premier exercice de la Municipalité commencera du jour de la première réunion de la Commission et finira le 31 Décembre, 1890. Le premier travail de la Commission devra être, après l'organisation de ses bureaux, la formation de son budget pour ce premier exercice.

Pour les autres exercices, la Commission se conformera aux dispositions des Articles 37, 38, et 39 du Décret du 5 Janvier, 1890.

Article 16.—*Contentieux.*

La Commission Municipale est chargée de délibérer sur les actions judiciaires de la Municipalité. Aucune action ne peut être intentée sans une autorisation prise à la suite d'une délibération de la Commission, après examen du Rapport de la Délégation, à l'exception des actes conservatoires ou des procédures d'urgence que le Président ou le Vice-Président, à son défaut, peut et doit engager de son initiative.

Une pareille autorisation est également nécessaire pour permettre au Président ou au Vice-Président, à son défaut, de défendre la Municipalité contre les actions qui pourraient être intentées contre elle. Cependant, cette autorisation n'est pas nécessaire pour la défense de la Municipalité contre des actions possessoires, des demandes reconventionnelles ou des instances en référé.

Article 17.—*Service de la Voirie et des Travaux Publics.*

Le Service de la Voirie et des Travaux Publics comprend l'ouverture, la fermeture, l'entretien et la dénomination des rues, places, ponts, promenades, et jardins publics; la libre circulation et l'occupation de la voie publique; la surveillance des immeubles du domaine municipal, le numérotage des maisons, les égouts, les voitures publiques et privées, les bêtes de selle, de somme, et de trait; les omnibus, les tramways, les charrois, les chiens, le droit de stationnement, les projets de voirie, d'alignement, et d'une façon générale l'ensemble des Services publics de la ville, tels que les eaux, l'éclairage, le pavage, le balayage, l'arrosage; les hôtels, les clubs-cercles, les maisons meublées, les cafés, les cabarets, les cafés-concerts, les bals, les concerts, les théâtres, les fêtes publiques, les foires, les bains publics, et autres établissements publics, ainsi que tout ce qui peut contribuer à l'embellissement et la prospérité de la ville; les poids publics, les entrepôts publics; le service des pompiers et toutes mesures relatives aux incendies; toutes autorisations de constructions, de grosses réparations, de démolitions, et en général de tous travaux à entreprendre par les particuliers, en ce qui concerne l'examen des conditions d'alignement et de solidité de construction en vue de la sécurité générale, ainsi que tous projets, plans, et devis des travaux neufs ou d'entretien à entreprendre par la Municipalité, &c.

Article 18.—*Service de Santé et d'Hygiène de la Ville.*

Le Service de Santé et d'Hygiène de la Ville comprend les halles et marchés, les cimetières, les pompes funèbres, les abattoirs; les égouts, et les bains publics, pour ce qui concerne ce Service; les registres des naissances et des décès, les hospices, les hôpitaux, la prostitution, les maisons de tolérance, toutes autorisations de constructions, de grosses réparations, de démolitions, et en général de tous travaux à entreprendre par les particuliers, pour ce qui concerne les conditions de santé et d'hygiène publique, l'exécution des Règlements de salubrité et des Ordonnances sanitaires, le service médical et hygiénique de la ville, &c.

Article 19.—*Comités Permanents.*

Pour exercer une surveillance constante sur les objets les plus importants de l'Administration Municipale et pour avoir éventuellement des propositions à leur

égard, la Commission peut nommer, dans les formes prévues à l'Article 3 du présent Arrêté, des Comités Permanents composés d'un nombre déterminé de membres à élire en dehors des membres de la Délégation.

Article 20.—*Comités Spéciaux et Transitoires.*

La Commission peut aussi nommer, de la même manière, des Comités spéciaux et transitoires pour l'examen d'un ou de plusieurs objets, ou pour des enquêtes spéciales.

Article 21.—*Présidents et Rapporteurs de ces Comités.*

Ces Comités permanents, ou spéciaux et transitoires, élisent dans leur sein un Président, et pour chaque affaire un Rapporteur.

Le Président, le Vice-Président, et le Secrétaire de la Commission Municipale, ont le droit d'assister, à titre consultatif, à chaque séance de ces Comités, et d'y prendre la parole.

Le Rapporteur de ces Comités présente à la Commission, par écrit, le résultat des délibérations déférées à ces mêmes Comités.

Article 22.—*Règlement Intérieur.*

Le Règlement Intérieur de la Commission Municipale prévu à l'Article 16 du Décret du 5 Janvier, 1890, comprendra aussi les dispositions concernant le Règlement Intérieur de la Délégation.

Article 23.

Le Président de la Commission Municipale d'Alexandrie est chargé de l'exécution du présent Arrêté.

Fait au Caire, le 18 Mars, 1890.

Le Ministre de l'Intérieur,
(Signé) RIAZ.

(Translation.)

Ministry of the Interior

Regulations for the Organization of the Municipality of Alexandria

THE Minister of the Interior,
In view of Article 45 of the Decree of the 5th January, 1890;

Decrees:

Article 1.—*Composition of the Municipal Delegation.*

The Municipal Commission of Alexandria, at its first meeting and after the election of its Vice-President, shall, in conformity with Article 12 of the above-mentioned Decree, elect from among its members, for a year, the Municipal Delegation, which shall consist of four members and two substitutes.

The President and Vice-President of the Municipal Committee shall also preside over the Delegation.

Article 2.—*Duration of the Functions of the Municipal Delegation.*

The functions of the Municipal Delegation shall last for one year, beginning on the 1st January and ending on the 31st December, with the exception of the first year, which shall begin on the day of the election of the Delegation, and shall end on the 31st December, 1890.

Fresh elections for the Delegation shall take place in the last week of each year.

The retiring members shall be eligible for re-election.

Article 3.—*Election of the Members of the Municipal Delegation.*

The members of the Municipal Delegation and their substitutes shall be elected by ballot and by an absolute majority of votes.

If at the first ballot no member has obtained an absolute majority of the twenty-eight members of the Municipal Commission, there shall be a second ballot, and then the election will be by a majority of the votes cast.

In the event of an equality of votes at the second ballot, the election will be made by means of drawing by lot. The lots will be drawn by the President.

If the Vice-President, a member of the Delegation, or a substitute, shall declare during the sitting at which their election has taken place that they will not accept it, a new election shall at once take place by a majority of the votes cast.

Article 4.—*General Powers of the Municipal Delegation.*

The Delegation shall be the permanent administrative and executive organ of the Commission.

It shall also act in the name of the Commission, when the latter is not sitting, in all matters remitted to it by the present Decree, or which may be remitted to it by any further Decrees, or shall be intrusted to it by the Commission within the limits of the competence of the latter.

It shall also continue to act after fresh elections until the Municipal Commission newly constituted shall have elected a new Delegation.

Article 5.—*Special Powers of the Municipal Delegation.*

The powers of the Municipal Delegation are specifically defined as follows:—

(*a.*) Correspondence with the Ministry of the Interior, the Governor's Office, and other authorities of the town, and also with private persons;

(*b.*) The examination of protests against the validity of the elections and the drafting of Reports on the subject to be made to the Commission;

(*c.*) The preparation of the Budget to be submitted to the Commission for consideration;

(*d.*) The consideration of all proposals respecting the increase or modification of all accounts opened in connection with expenditure or respecting the opening of fresh accounts;

(*e.*) The consideration of all proposals aiming at the establishment of increased rates for existing taxes, the creation of new taxes, and the contraction of new loans within the limits indicated in Article 31 of the Decree of January 5, 1890;

(*f.*) The examination of the annual report referred to in Article 43 of that Decree, and the presentation to the Commission of the observations which that examination shall have suggested to it;

(*g.*) The examination of proposals, plans, and estimates for new buildings or repairs to be submitted to the Commission for its decision (Article 30 of the same Decree);

(*h.*) The preliminary consideration of and proposals respecting matters which are the subject of litigation, and all others within the competency of the Commission;

(*i.*) The reception of all requests addressed to the Commission, for such objects as are permissible by law;

(*k.*) The carrying on of the current business of the Municipality;

(*l.*) The execution of the decisions of the Municipal Commission;

(*m.*) Decisions in matters specially intrusted to it by the Commission;

(*n.*) Proposals respecting the nomination, promotion, and retirement of municipal servants paid out of Municipal funds, made in conformity with Article 22 of the Decree of the 5th January, 1890, with regard to such proposals;

(*o.*) Measures of discipline as regards those servants, by virtue of the Regulations which shall be issued on the subject;

(*p.*) The assistance to be given to the President to aid him in the exercise of the powers vested in him by the Decree of the 5th January, 1890;

(*q.*) The preparation of the scheme for the internal Regulations of the Municipality referred to in Article 16 of the Decree of the 5th January, 1890.

Article 6.—*Municipal Departments.*

These internal Regulations will comprise the arrangement of the establishment and organization of the Municipal Departments, their powers in detail, the formation of the corps of officials, and the fixing of their emoluments.

These Departments will comprise :—
(*a.*) The Secretary's Office;
(*b.*) The Office of Highways and Public Works;
(*c.*) The Office for the Sanitary and Hygienic requirements of the Town.

Article 7.—*The Secretary's Office.*

The Secretary's Office shall deal with the general superintendence of all the Municipal Departments, as well as with the special management of the Administrative, Financial, and Legal Departments.

Article 8.—*Administrative Department.*

The Administrative Department shall deal with general correspondence, drafting the Reports of the sittings of the Commission and of the Municipal Delegation, aid to the poor, the municipal charitable institutions, schools, archives, the inventory of all municipal property, personal and real, which must be published every year, and, generally, all other objects respecting which the Commission are called upon to deliberate by law, by the Regulations, or by the Government.

Article 9.—*The Financial Department.*

The Financial Department shall deal with :
(*a.*) The collection of dues levied by the Customs Administration and the Daïra Baladieh on behalf of the Municipality, in conformity with Article 40 of the Decree of the 5th January, 1890.
(*b.*) The levying of taxes directly imposed by the Municipality.
(*c.*) The payment of expenditure duly authorized.
(*d.*) The accounts connected with the various receipts and expenditure of the Municipality.

Article 10.—*The Budget.*

The receipts and expenditure of the Municipality must be in accordance with the budget or supplementary votes.

Article 11.—*Receipts collected by other Administrations.*

The dues levied by the Customs Administration and the Daïra Baladieh on behalf of the Municipality must be paid to it in the first week of the following month.

These payments must be accompanied by vouchers, showing the nature of the receipts and the total amount levied.

The vouchers must be signed by the Chief or Sub-Chief of the Administration making the payment.

The acknowledgment of the receipt must be signed by the President or the Vice-President, and countersigned by the Secretary of the Municipal Committee.

Article 12.—*Receipts collected by the Municipality.*

The Secretary, as Head of the Financial Department, is charged, on his personal responsibility, with the collection of the other receipts directly managed by the Municipality.

He is authorized, under the orders of the President, or, failing him, of the Vice-President, to take the necessary measures against debtors in arrear, to prevent alienations, and to see that the rights of the Municipality are protected.

He shall have under his orders a cashier charged with the receiving and making of payments, and responsible for the safety of the funds.

The Secretary and the cashier must furnish security, the amount of which shall be fixed by the Municipal Committee.

Article 13.—*Expenditure.*

The Secretary, in his above-mentioned capacity, is also charged with the payment of the expenditure of the Municipality.

The orders authorizing expenditure, signed by the President, or, failing him, by the Vice-President, must give the name of the payee, the nature of the expenditure,

the reason for the payment, the amount of the payment, and the heading of the budget to which the expenditure is charged. They must be accompanied by the explanatory documents prescribed by the Regulations respecting the General Accounts of the State, and particularly by the vouchers indicated in the Decree of the 5th January, 1890.

The Secretary is responsible for all payments which may be made without these formalities being fulfilled.

Article 14.—*Annual Accounts.*

The accounts of the Municipality shall be submitted for audit to accounting agents who shall be nominated by the Director-General of the State Accounts.

The audit shall be made every three months on the premises of the Municipality from the vouchers, which must be delivered to the accounting agent.

The annual accounts of the Municipality must show, in separate columns, and in the order of the chapters and articles of the budget :—

On the Receipt Side.

(*a.*) The nature of the receipts ;
(*b.*) The budgetary estimates ;
(*c.*) The amounts received.

On the Expenditure Side.

(*a.*) The details of the budgetary expenditure;
(*b.*) The total amount of credits opened in the budget or sanctioned by later authorizations;
(*c.*) The total of the sums paid out of these credits during the current financial year.

The accounts for the first quarter of the year 1890 shall be checked by the Minister of Finance, at the end of the month of April 1890, on the basis of receipts and expenditure during the first quarter, and the deficit or credit balance shall be carried over to the Municipality's account.

An extract from the general annual accounts of the Municipality, verified and countersigned by the President, or, in default of him, by the Vice-President and the Secretary of the Municipal Commission, shall be transmitted to the Ministry of the Interior on the 15th February of the following year, with a certified extract from the Report of the meeting of the Commission at which the accounts were examined.

Article 15.—*Financial Year.*

The first financial year of the Municipality shall commence on the day on which the Commission holds its first sitting, and shall terminate on the 31st December, 1890. The first work of the Commission, after having organized its "bureaux," shall be to draw up its budget for the first financial year.

For other financial years, the Commission will carry out the enactments of Articles 37, 38, and 39 of the Decree of the 5th January, 1890.

Article 16.—*Legal Department.*

The Municipal Commission shall deal with any legal proceedings taken by the Municipality.

No action can be initiated without authorization, given at a meeting of the Commission at which the Report of the Delegation shall be examined, except in the case of injunctions or urgency proceedings which the President, or, in his default, the Vice-President, can and shall institute of his own accord.

A similar authorization is also necessary to enable the President, or, in his default, the Vice-President, to defend actions brought against the Municipality. This authorization, however, is not necessary for the defence of the Municipality against actions for recovery, counter-claims, and reported cases.

Article 17.—*Administration of Highways and Public Works.*

The Administration of Highways and Public Works comprises the opening, shutting, repairing, and nomenclature of streets, squares, bridges, promenades, and public

gardens; the free circulation in and the occupation of public streets, the superintendence of municipal real property, numbering houses, drainage, public and private carriages, saddle, burden, and draught animals; omnibuses, tramways, carts, dogs, cab-stands, plans for straightening and making new streets, and, generally speaking, all that concerns the public administration of the town, such as water, lighting, paving, sweeping, watering; hotels, clubs, furnished houses, cafés, grog-shops, music halls, balls, concerts, theatres, public festivities, fairs, public baths, and other public establishments, as well as everything that can contribute to the beautifying and prosperity of the town; public weighing places, public warehouses; fire brigades and all measures connected with fires; all authorizations for construction, large repairs, demolitions, and, in general, all works which are undertaken by private persons, as far as concerns the examination of the plans and solidity of structure, in view of the public safety, as well as all schemes, plans, and estimates of new works or of repairs undertaken by the Municipality, &c.

Article 18.—*Board of Health.*

The Board of Health comprises markets, cemeteries, funerals, slaughter-houses, drains and public baths, as far as sanitary requirements are concerned, registration of births and deaths, asylums and hospitals, prostitution, houses of ill-fame, all authorizations for construction, large repairs and demolitions, and, in general, all works which are undertaken by private persons, as far as concerns questions of sanitation and the public health, the carrying out of sanitary Regulations and Ordinances, the medical and sanitary administration of the town, &c.

Article 19.—*Permanent Committees.*

In order to exercise a constant supervision over the most important subjects of the Municipal Administration, and in order to have eventual proposals to make with respect to them, the Commission may appoint, according to the forms prescribed in Article 3 of the present Decree, Permanent Committees composed of a limited number of members who shall be elected in addition to the members of the Delegation.

Article 20.—*Special and Temporary Committees.*

The Commission may also name, in like manner, special and temporary Committees for the examination of one or more subjects, or for special inquiries.

Article 21.—*Presidents and Committee Reporters.*

These Committees, whether permanent or special and temporary, shall elect a President from among their number, and a Reporter for each separate case.

The President, Vice-President, and Secretary of the Municipal Commission have the right of appearing, for purposes of consultation and of speaking, at each sitting of these Committees.

The Reporter of these Committees will present to the Commission, in writing, the result of the deliberations which have been referred to these Committees.

Article 22.—*Internal Regulations.*

The Internal Regulations of the Municipal Commission, which are laid down in Article 16 of the Decree of the 5th January, 1890, includes the Internal Regulations of the Delegation.

Article 23.

The President of the Municipal Commission of Alexandria is charged with the execution of the present Decree.

Done at Cairo, the 18th March, 1890.

The Minister of the Interior,
(Signed) RIAZ.

No. 82.

Sir E. Baring to the Marquis of Salisbury.—(*Received March* 31.)

My Lord, *Cairo, March* 23, 1890.

IN a letter which I addressed to the Khedive last December I drew attention to the very defective condition of the prison accommodation in Egypt. The matter has since then received the serious consideration of the Egyptian authorities, and I have now the honour to inclose a copy of a letter which I have received from Dr. Crookshank, the Director-General of the Prisons, explaining the measures which it is proposed to adopt. Dr. Crookshank's plan seems to be very complete. The expenditure involved is also very moderate. I hope and believe, therefore, that there will be no delay in carrying out the scheme. Another serious defect in the Egyptian administrative system will thus be remedied.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 82.

Dr. Crookshank to Sir E. Baring.

Dear Sir Evelyn, *Cairo, March* 22, 1890.

AS Mr. Palmer mentioned yesterday that you had inquired what had been done about new prisons, I write to say I only returned yesterday from Assiout, and only this morning gave Riaz Pasha a general idea of what I have decided, which with certain modifications is as follows: (1) the building of two large central prisons for convicted prisoners of more than three months, at Chibin-el-Kom-el-Mellawi (on the railway midway between Minieh and Assiout); this will take all prisoners of that category from Assiout to Alexandria; (2) removal to Ghizeh new prison of all convicted prisoners of Cairo and Ghizeh Moudirieh, building in Cairo a prison for appeal cases only; this will do away altogether with the Zaptieh prison, the present prison at Hod-el-Mahsood quarter being reserved for cases awaiting trial and contravention cases; (3) the addition of the empty Alexandria arsenal workshop to the present arsenal prison, closing altogether the Alexandria Zaptieh prison; (4) removal of the Minieh prisoners from the present condemned portion to the Moudirieh buildings recently vacated; (5) enlarging the Assiout prison by building new police barracks and adding the present police barracks to the existing prison, in which workshops will be established; (6) building a new prison at Keneh or Esneh for all prisoners south of Assiout. I hope to make all necessary arrangements next week to commence the whole of this work at the same time, and I believe the 12,000*l.* credit will still leave me with a surplus.

I am, &c.
(Signed) H. CROOKSHANK.

No. 83.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, April* 2, 1890.

I HAVE received your despatch of the 19th ultimo respecting the Memorial presented to the foreign Representatives in Egypt by the European colony of Alexandria on the subject of the new Patent Law, and I approve of your having joined with your colleagues in declining to take any steps to procure the postponement of the date when the Law in question will come into operation.

I am, &c.
(Signed) SALISBURY.

No. 84.

Sir E. Baring to the Marquis of Salisbury.—(*Received April 7.*)

My Lord, *Cairo, March 25, 1890.*

I HAVE the honour to transmit herewith copy of a note which I have received from the Minister for Foreign Affairs, together with a draft Decree enacting that in future the financial year of the Caisse de la Dette Publique shall close on the 31st December, that is to say, at the same time as the accounts of the Government.

Your Lordship will observe that care has been taken to prevent the interests of the bondholders in any way suffering from the proposed change, and that a sum of £ E. 1,254,000, representing the taxes collected from the 26th October to the 31st December, will be carried forward at the close of each year to the credit of the following year.

The measure is one which will do much to simplify the manner hitherto extremely complicated, in which the accounts between the Egyptian Government and the Caisse are made up, and I venture, therefore, to recommend Zulfikar Pasha's request for the adhesion of Her Majesty's Government to the proposed Decree to your Lordship's most favourable consideration.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No. 84.

Zulfikar Pasha to Sir E. Baring.

(Circulaire.)

M. le Ministre, *Le Caire, le 24 Mars,* 1890.

LE Ministère des Finances s'est préoccupé d'arriver à simplifier le mode actuellement en vigueur du réglement des comptes avec la Caisse de la Dette Publique. Le système suivi jusqu'à présent est, en effet, si compliqué que les exposés annuels des finances restent difficilement compréhensibles pour le public qui s'intéresse à la situation financière de l'Égypte.

L'étude des meilleurs moyens à adopter, en vue d'introduire toute la clarté désirable dans ces comptes, a fait reconnaître qu'il suffirait pour atteindre le but proposé de clôturer les comptes de l'exercice financier de la Caisse de la Dette au 31 Décembre, c'est-à-dire à la même époque que les comptes du Gouvernement.

Mais, pour assurer le service régulier du coupon du 1er semestre, une somme de £ E. 1,253,914, correspondant aux recouvrements de la période du 26 Octobre au 31 Décembre, serait prélevée au 31 Décembre, 1890, comme première charge sur le solde restant à la Caisse après le service des coupons de 1890 et reportée à l'Exercice 1891 dans le compte des revenus affectés. Prélèvement et report de pareille somme seraient également effectués à la fin de chaque année.

Au cas où le solde au 31 Décembre serait inférieur au montant du prélèvement et report à opérer, la différence serait, ou fournie par le fonds de réserve, ou subsidiairement versée à la Caisse par le Gouvernement.

Consultés sur la modification proposée, MM. les Commissaires de la Caisse ont reconnus que les avantages de ce projet étaient incontestables et, le service des coupons se trouvant assuré par le fait du prélèvement et du report, au 31 Décembre de chaque année, de la somme de £ E. 1,253,914, ils se sont déclarés entièrement favorables à l'adoption de la mesure dont il s'agit.

Toutefois, ce changement ayant paru devoir nécessiter l'assentiment préalable des Puissances, un projet de Décret, dont j'ai l'honneur de vous adresser la copie ci-jointe, a été préparé d'accord avec la Caisse.

J'ai recours à votre obligeante intermédiaire, M. le Ministre, pour porter cette communication et le projet de Décret ci-annexé à la connaissance du Cabinet de Londres, et j'ai l'espoir que vous voudrez bien me prêter votre valable concours auprès de votre Gouvernement afin d'obtenir son assentiment à la mise en vigueur de ces dispositions financières.

Veuillez, &c.
Le Ministre des Affaires Étrangères,
(Signé) ZULFIKAR.

(Translation.)

(Circular.)

M. le Ministre, *Cairo, March* 24, 1890.

THE Ministry of Finance has been engaged in endeavouring to simplify the method now in force for the settlement of accounts with the Department of the Public Debt. The system which has been followed up to the present time is in fact so complicated, that the annual financial statements are with difficulty understood by the public interested in the financial condition of Egypt.

A study of the best means to be adopted, with a view of introducing into the accounts all the clearness desirable, has shown that to attain the end proposed, it would be sufficient to close the accounts of the financial year of the Department of Debt on the 31st December, that is to say, at the same time as the accounts of the Government.

But, in order to insure the regular payment of the coupon of the 1st half-year, a sum of £ E. 1,253,914, corresponding to the sums due for the period from the 26th October to the 31st December, should be levied on the 31st December, 1890, as first charge upon the balance remaining in the Caisse after the payment of the coupons of 1890, and carried forward to the Statement of 1891, in the account of the assigned revenues. A like sum would, in the same manner, be levied and carried forward at the end of each year.

In case the balance on the 31st December should be less than the amount to be levied and carried forward, the deficit would be either supplied by the reserve funds, or paid into the Caisse as a subsidy by the Government.

The Commissioners of the Caisse having been consulted on the proposed modification have admitted that the advantages of the plan are undeniable, and as the payment of the coupons is assured by the levying and carrying forward on the 31st December of each year of the sum of £ E. 1,253,914, they have pronounced themselves entirely in favour of the adoption of the measure in question.

At the same time, as it appears that this change requires the previous consent of the Powers, a draft Decree, of which I have the honour to inclose a copy, has been prepared with the consent of the Caisse.

I have recourse to your obliging assistance, M. le Ministre, to bring this communication and the annexed draft Decree to the knowledge of the Cabinet of London, and I trust that you will be good enough to use your valuable influence in my favour with your Government, in order to obtain their assent to the carrying out of these financial arrangements.

Accept, &c.
The Minister for Foreign Affairs,
(Signed) ZULFIKAR.

Inclosure 2 in No. 84.

Draft Decree.

NOUS, Khédive d'Égypte,

Vu la Loi de Liquidation du 17 Juillet, 1880, et nos Décrets du 27 Juillet, 1885, et du 12 Juillet, 1888;

Avec l'assentiment des Puissances représentées à la Caisse de la Dette Publique;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

Décrétons:

Article 1er. A partir de l'année 1890 le compte des excédents des revenus affectés au service de la Dette sera arrêté à la date du 31 Décembre de chaque année.

Art. 2. Le compte des revenus affectés pour l'année 1890 comprendra, en outre des revenus du 1er Janvier au 31 Décembre de la dite année, ceux recouvrés du 26 Octobre au 31 Décembre, 1889;

En conséquence, une somme de £ E. 1,253,914, correspondant aux recouvrements de cette période, sera prélevée, au 31 Décembre, 1890, comme première charge sur le solde restant à la Caisse après le service des coupons de 1890, et reportée à l'Exercice 1891.

Prélèvement et report de pareille somme devront être effectués à la fin de chaque année.

Au cas où le solde au 31 Décembre d'une année serait inférieur au montant des prélèvements et report à opérer, la différence sera ou fournie par le fonds de réserve ou subsidiairement versée à la Caisse par le Gouvernement.

Art. 3. Sont abrogées toutes les dispositions de nos Décrets antérieurs contraires à celles du présent Décret.

(Translation.)

WE, Khedive of Egypt,

In view of the Law of Liquidation of the 17th July, 1880, and our Decrees of the 27th July, 1885, and July 12, 1888;

With the assent of the Powers represented in the Caisse of the Public Debt;

On the proposal of our Minister of Finance, and in conformity with the opinion of our Council of Ministers;

Decree:

Article 1. Commencing from the year 1890, the account of the surplus of revenues assigned to the payment of the Debt shall be closed on the 31st December of each year.

Art. 2. The account of the assigned revenues for the year 1890 shall include, besides the revenues from the 1st January to the 31st December of the said year, those recoverable from the 26th October to the 31st December, 1889;

Consequently, a sum of £ E. 1,253,914, corresponding to the sums due for that period, shall be levied on the 31st December, 1890, as first charge upon the balance remaining in the Caisse after the payment of the coupons of 1890, and carried forward to the financial year 1891.

A like sum shall be levied and carried forward at the end of each year.

In case the balance on the 31st December of any one year shall be less than the amount of the sums to be levied and carried forward, the deficit shall be either supplied from the reserve funds, or paid into the Caisse as a subsidy by the Government.

Art. 3. All the provisions of our former Decrees which are not in accordance with those of the present Decree are abrogated.

No. 85.

Sir E. Baring to the Marquis of Salisbury.—(*Received April 7.*)

My Lord, *Cairo, March 27*, 1890.

I HAVE the honour to inclose copy of a despatch from Consul Barnham of the 19th March, reporting the good results of the famine relief operations at Suakin.

I have, &c.

(Signed) E. BARING.

Inclosure in No. 85.

Consul Barnham to Sir E. Baring.

Sir, *Suakin, March 19*, 1890.

WITH reference to the famine relief operations now in progress here, I have the honour to report that they have had a markedly good result, inasmuch as, having established a hospital at some distance from the town, where over 100 cases are under treatment, the mortality among these does not now exceed two, or, at the most, three a day. The patients are fed on milk and "belila," a species of dhourra porridge prepared with milk, and are under proper medical attendance.

The number of those receiving out-door relief in the form of dhourra-cake is about 2,500, the distress being more apparent among the young children than among the women. The expenditure up to date has been at the rate of slightly under 200*l.* per month.

Strangers are coming in from Tokar and elsewhere, but as yet not in great numbers. These are all adult men, and in a very emaciated condition. I questioned one man about the distress in the Tokar district, and, pointing to his own wasted limbs, he answered that all those he had left behind were in as bad a plight as himself.

The young children there and at other points inland must have died in very great numbers.

I have, &c.
(Signed) H. D. BARNHAM.

No. 86.

Sir E. Baring to the Marquis of Salisbury.—(Received April 7.)

My Lord, *Cairo, March* 27, 1890.

I HAVE the honour to transmit herewith copy of a Khedivial Decree enacting that in future a census of the date-trees, upon which, as your Lordship is aware, a tax is levied, shall be taken every five years. Considerable hardship and injustice was formerly caused by this tax being collected on the basis of Returns which were out of date, and which no longer represented the actual state of the case. Some proprietors paid far more than their share of the tax, others far less. The present Decree will remedy this grievance, and remove one more of the abuses of the past.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 86.

Extract from the "Journal Officiel" of March 26, 1890.

Décret.

NOUS, Khédive d'Égypte,

Vu nos Décrets du 20 Gamad-Akher, 1298 (28 Mai, 1881) ; du 5 Gamad-Awel, 1303 (9 Février, 1886) ; du 23 Zilkedeh, 1304 (13 Août, 1887) ; du 4 Gamad-Awel, 1305 (17 Janvier, 1888) ; et du 16 Chaban, 1306 (17 Avril, 1889) ;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

Article 1er. Il sera procédé, tous les cinq ans, dans toute l'Égypte, au recensement des dattiers pour servir de base à la fixation de l'impôt sur les dattiers.

L'impôt ainsi établi demeurera valable pendant cinq ans quelles que soient pendant cette période les modifications en plus ou en moins qui pourront survenir dans le nombre des dattiers imposables.

Le recensement auquel il sera procédé au cours de la présente année sera valable pour la première période quinquennale, qui commencera le 1er Janvier, 1890.

Art. 2. Sont formellement maintenues toutes les autres dispositions de notre Décret du 20 Gamad-Akher, 1298 (28 Mai, 1881).

Art. 3. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Abdin, le 5 Chaban, 1307 (26 Mars, 1890).
(Signé) MÉHÉMET TEWFIK.

Par le Khédive :
Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) RIAZ.

(Translation.)

Decree.

WE, Khedive of Egypt,

In view of our Decrees of the 20th Gamad-Akha, 1298 (28th May, 1881) ; 5th Gamad-Awel, 1303 (9th February, 1886) ; 23rd Zilkedeh, 1304 (13th August, 1887) ; 4th Gamad-Awel, 1305 (17th January, 1888) ; and 16th Chaban, 1306 (17th April, 1889) ;

On the proposal of our Minister of Finance, and in conformity with the opinion of our Council of Ministers ;

Decree:

Article 1. Every five years a census of the date trees shall be taken throughout Egypt to serve as a basis for fixing the tax on date trees.

The tax thus established shall be valid for five years, whatever may be the increase or decrease which may arise during that period in the number of date trees liable to be taxed.

The census to be taken in the course of the present year will be valid for the first quinquennial period, which will commence on the 1st January, 1890.

Art. 2. All the other provisions of our Decree of the 20th Gamad-Akher, 1298 (28th May, 1881) are formally maintained.

Art. 3. Our Minister of Finance is charged with the execution of this Decree.

Done at the Palace of Abdin, the 5th Chaban, 1307 (26th March, 1890).

(Signed) MÉHÉMET TEWFIK.

By the Khédive:
The President of the Council of Ministers,
Minister of Finance,
(Signed) RIAZ.

No. 87.

Sir E. Baring to the Marquis of Salisbury.—(*Received April* 14.)

My Lord, *Cairo, April* 1, 1890.

IN my despatch of the 15th ultimo I mentioned to your Lordship that Sir Francis Grenfell was about to cause a strong reconnaissance to be made south of Wady Halfa. I have now the honour to transmit copy of a telegram received by the Sirdar, stating the result of the reconnaissance in question, which proceeded as far as the village of Ginnis.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 87.

Telegram from Frontier Officer to Major-General Sir F. Grenfell.

TELEGRAMS have been received from Colonel Wodehouse to the effect that the reconnaissance reached Firket on the 27th instant, where the advanced guard of cavalry surprised a Dervish patrol of twenty-three camel-men coming from Dulgo, of whom five were captured and eight camels, the remainder dispersing to the hills. The cavalry then patrolled as far as the village of Ginnis, which was found deserted. The prisoners stated that the news of the advance of Government troops had reached Dongola, and that in consequence the advanced post of the Dervishes at Dulgo was being reinforced. The troops return to Tangore on 28th instant, and were expected to reach Halfa 31st. The country as far as Firket is stated to be completely devastated and deserted of inhabitants. Colonel Wodehouse has collected intelligence regarding the state of the Dongola Province which he will communicate later.

No. 88.

Sir E. Baring to the Marquis of Salisbury.—(*Received April* 14.)

My Lord, *Cairo, April* 2, 1890.

I HAVE the honour to transmit herewith copy of a Report addressed by Sir Francis Grenfell to the Minister of War, giving the result of his annual inspection of the frontier province which, as your Lordship is aware, is under the administration of the Military Commandant at Wady Halfa. I have drawn Mr. Palmer's attention to the suggestions put forward by Sir F. Grenfell, and he will see that they receive due consideration from the Egyptian Ministry.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 88.

Major-General Sir F. Grenfell to the Egyptian Minister of War.

Head-Quarters, Egyptian Army, War Office, Cairo,
March 26, 1890.

Excellency,

DURING the recent annual inspection of the troops on the frontier from which I have just returned, I also carefully considered the civil administration of the frontier, concerning which I have made the following remarks :—

Wodehouse Pasha has made a careful inspection of the districts of the frontier Moudirieh, north of Assouan, and in this Report I have touched on the matters which have been brought to my notice by him, and he entirely agrees with all my observations.

On many points on which I required further information I personally interviewed the Sheikhs and inhabitants of the districts, and satisfied myself of the justice of complaints, &c.

In accordance with the provisions of the Khedivial Decree, dated the 1st January, 1890, the military Mudirieh now extends from the village of El Tiraah, some 22 miles north of Edfou, to Sarras, some 32 miles south of Wady Halfa, a total distance of 340 miles, in which there are upwards of 400 towns or villages, and a population of upwards of 150,000.

In this Report I propose to deal chiefly with the newly acquired districts north of Assouan, at the same time touching on the administration of the whole province in general.

The principal towns and villages in the districts north of Assouan are :—

West Bank :—El Basalieh-el-Baharieh, El Basalieh-el-Gublieh, El Saieedeh, El Kilhel Gharb, Edfou, Ramadi, El Hammam, Faris, Bimbam, Raghaba, El Companieh.

East Bank :—El Sharawnah, El Hegz, El Kilh, El Redesieh, Silwa, Fateerah, Egleet, Derawi, Toaisa, Khanag, Akabah-el-Kebireh, Akaban-el-Sogheireh, Abu Riche.

The points which in my opinion require the special consideration of His Highness' Government are :—

(*a.*) The land tax.
(*b.*) Government lands.
(*c.*) Sharaki lands.
(*d.*) Irrigation.
(*e.*) The crops.
(*f.*) Wakfs administration.
(*g.*) Legal administration.
(*h.*) Sheep and tobacco tax.
(*i.*) Sale of salt and nitre.
(*k.*) Arrears of taxes.
(*l.*) Public security.
(*m.*) Relief of refugees and destitute Arabs.
(*n.*) Medical and sanitary administration.
(*o.*) New institutions.
(*p.*) Horse and camel breeding.
(*q.*) Government officials.
(*r.*) Feeling of the inhabitants.
(*s.*) Trade with the Soudan, and trade in general.
(*t.*) Occupation of Sarras and events in the Soudan.

Some of the villages are excessively poor, while others are comparatively rich; some are greatly in arrears in payment of taxes, while others have paid all that is due.

Land Tax.—Amongst the former, the following villages, all of which are in the new district lately added to the frontier Mudirieh, are specially noticeable:—Fateerah, Silwai Bimban, Kilhel Sherkh, Elhegz, part of Ramadi, Raghabah; and this appears to be due, to some extent, to the incorrect assessment of the land tax.

The land tax has not been reassessed for twenty-four years; consequently, it may be readily understood that owing to the many changes which have taken place during

that time, the tax does not now fall fairly on all land proprietors. I would suggest that a reassessment of the land in this district be made by a Commission composed of an official of the Ministry of Interior and two Omdehs or land owners of Lower Egypt.

Another reason for this is the burden which the possession of Government lands imposes on certain villages.

Government Lands.—In the Assouan and Edfou districts there are some 5,650 feddans of Government lands, mostly indifferent quality. These lands are let on a four years' lease, but, in the event of their not being let, the Omdehs are made responsible for their rent. This leads to forcible subletting at reduced prices to the fellaheen, and it is invariably the case that when a village possesses large quantities of Government land it becomes proportionately poor.

An example of what takes place is afforded by an examination of the village of Fateerah, the inhabitants of which have submitted a Petition. This village is incumbered with 200 feddans of Government land taxed at the rate of P. T. 86 per feddan; the grain yield per feddan does not exceed half an ardeb; consequently, the villagers are continually becoming poorer, and must eventually migrate elsewhere. This matter requires the immediate attention of the Government.

I would also suggest that a most careful survey of Government lands be made.

In the districts south of Assouan the improved survey of last year produced an increase of £ E. 4,796, or the value of 328 feddans, and a further sum of £ E. 1,139 in excess of the estimate was realized in 1889 by the sale of Government lands.

Sharaki Lands.—There are some 1,300 feddans of Sharaki lands in these districts, distributed as follows, and estimated for 1890:—

	Feddans.
Edfou District—	
Redisieh	400
Sharwana	120
Ramadi	66
Silwa	3
Total	589
Assouan District—	
Derawi	500
Bimban	13
Raghaba	105
Fateerah	255
Eglit	110
Mansourieh	128
Toosieh	100
Kobain	100
Total	1,311

The inhabitants of the village of Sharawnah petitioned the Mudir of Keneh on this subject, but were informed that the lands could not be considered as Sharaki lands this year.

It will be noted that the Daireh Sanieh has a large amount of Sharaki land in El Redesieh, and if they, with their various appliances, find it impossible to irrigate portions of their land, it is reasonable to assume that the villagers must find it very much more difficult to do so.

Wodehouse Pasha visited the village, and is of opinion that the complaint is a fair one. It must be remembered that the banks here are exceptionally high, and, in view of the fact that the Public Works Department have not as yet been able to consider the question of improving the irrigation of these districts, I think it would be only equitable that an expert from that Department should make an examination of the land supposed to be Sharaki, with a view to considering whether these districts have superior claims to districts further north, where irrigation has been improved by the construction of Government canals, &c.

Irrigation.—As regards the districts south of Assouan, I represented in my last Report the necessity of improving the irrigation of the frontier Mudirieh. Mr. Willcocks has ably reported upon the irrigation of this province. His Report No. 29, dated the 22nd January, 1890, deals with all the points in question, and it is

earnestly hoped that immediate effect will be given to the various suggestions he makes.

The points which are of the most pressing importance are:—

1. The proposed alterations in the Deberra Canal.
2. The construction of a new canal at Dakkeh.
3. Repair of the various stone spurs built to reduce the force of the High Nile, and prevent inundation and destruction of property between Assouan and Halfa, and especially the repair of those in the vicinity of the town of Assouan.

Crops and Harvest Prospects.—The prospects of the barley and date crops this year are very good. The dates grown are ample for the consumption, and allow of a considerable export trade.

Wakf's Administration.—The Ulemahs at Assouan informed me that the rents received from the Wakf's property (mostly shops) is insufficient for the maintenance of the mosques. I would suggest that an official from the Wakf's Administration be sent from Cairo to inquire into the cause of complaint. The Ulemahs state that the furniture is in bad condition, and that the general maintenance of the mosques requires attention.

A special grant was recently made for the construction of mosques at Halfa and Deberossa, both of which have now been completed.

Legal Administration.—The present judicial system appears to work well; the statistics show that out of 678 cases which had been left unheard 647 have now been settled, leaving only 31 cases to be referred to the Higher Courts of Justice.

There were twenty-eight prisoners only in the civil prisons. The Governor of the frontier has been granted powers of imprisonment up to thirty days. This I consider should be ratified by a Khedivial Decree.

The removal of the Mehekemah Sharieh from Esneh to Assouan, for which application was made on the 28th December, 1889, will greatly assist the Governor in his legal functions.

A few cases of delay and irregularity in legal procedure were brought to my notice in the northern districts, but when these districts have become thoroughly amalgamated with the frontier Mudirieh, I am of opinion that the causes of complaint will be easily removed.

Sheep and Tobacco Tax.—In 1888 the number of sheep on the frontier was stated to be 3,725, and the tax P. T. $3\frac{1}{2}$ per head. In 1889 the actual number of sheep was counted, and found to be 12,946. The Government sanctioned the reduction of the tax to P. T. 2, and the revenue has increased by £ E. 130. This reduction was granted for 1889 only, but in view of the good result obtained, I am of opinion that this reduction should be continued.

The system of registering sheep in the northern districts is somewhat irregular, as it has been the habit to insist on the numbers of sheep in the various sub-districts being practically the same year after year, whereas very large changes must have taken place. The sheep in one district may be largely in excess, and in another district they may have largely decreased from former years. Arrangements are now being made to form a correct registration of the sheep in the northern districts, and if the reduction be made applicable to these districts, I feel confident that the numbers actually existing will be more correctly reported than heretofore.

In Upper Egypt the price of a sheep is P. T. 20, while in Lower Egypt it varies from P. T. 50 to P. T. 100.

In my last Report, I called attention to the good results obtained by the tobacco cultivation, and that in spite of the heavy tax of £ E. 30 per feddan, the consumption of home-grown tobacco was increasing and the price was higher, natives preferring their own to imported tobacco.

The new regulation limiting the cultivation of tobacco is unpopular in the Mudirieh.

I am aware that the tobacco regulations involve a large question, and, therefore, in making a statement of existing facts, I wish it to be understood that I do not consider it desirable to alter the present regulations if a decrease of Government revenue would result therefrom: I merely represent this matter as an exponent of the Petitions of the inhabitants, of which I have received a large number on the subject.

Inclusive of the Edfou district, there were formerly in the frontier Mudirieh some

40 feddans of tobacco under cultivation. By the new regulations the number is reduced to 9 feddans, and this very large reduction is much resented, and I hope that the Government may, without prejudicing its interests, consider some means of permitting a larger cultivation of this commodity, having in view the fact that there are certain special considerations applicable to this Mudirieh which are not so elsewhere.

Boat Tax.—The revenue obtained on the boat tax has increased £ E. 80.

Sale of Salt and Nitre.—Certain changes have been made in the system of selling salt (only those purchase who actually require it), the result being that the salt revenue has been increased by £ E. 273.

A considerable stock of nitre was also lying in the Government stores at Assouan for some years. A portion of this has been sold, and realized £ E. 464.

Arrears of Taxes.—In the districts south of Assouan and including that town, the revenue this year has increased £ E. 4,797, while the arrears of taxes are practically *nil.*

On the 24th January, 1890, they amounted to £ E. 405, and it is probable that this sum has now been collected.

In the districts recently acquired north of Assouan the arrears amounted to £ E. 6,543, of which £ E. 3,755 are arrears of 1888 and £ E. 2,807 arrears of 1889. These arrears are no doubt due to the facts mentioned under the headings of "Land Tax, Government Lands, and Sharaki Lands," and if the suggestion mentioned could be carried out, I feel confident that these arrears would soon be adjusted.

On the other hand, every effort will be made this year to collect these outstanding taxes.

At a public meeting at Edfou of the Sheikhs and Notables of these districts, I informed them that while bringing their complaints to the notice of His Highness' Government, I must impress upon them the necessity of making every effort to pay the arrears.

Public Security.—The substitution of military for civil police in the frontier Mudirieh has resulted in an economy of expenditure, and crime has decreased.

A similar system will be at once introduced into the northern districts; in the meantime, the civil police have been temporarily replaced by small detachments of troops. Up till quite recently, upwards of 1,100 Gaffirs were employed in the newly-acquired districts. This number was found to be largely in excess of the actual requirements, and has, consequently, been considerably reduced.

It should also be noted that a large number of the Arabs, for whom Bishir Bey and other Chiefs are responsible, live in these districts, and as they receive pay from Government, they are in some sense considered by the villagers as their protectors. This fact is an additional reason for reducing the number of Gaffirs.

Relief of Refugees and destitute Arabs.—Upwards of 23,000 refugees from various parts of the Soudan have arrived on the frontier during 1889. Some of these have found their way north, mostly men, leaving their women and children behind them, but the great majority of them are still on the frontier. These people were starving, and it became absolutely necessary to organize relief works.

With this object in view a Settlement was formed at Deberrah, 20 miles north of Halfa, where 500 feddans of Government land were portioned out to refugees, wells dug, and cultivation started.

I carefully inspected this Settlement, which shows considerable prosperity. The crops are fairly good, but more irrigation is needed, and it is very necessary that the improvement suggested by Mr. Willcocks should be at once begun.

There are some hundreds of refugees at Deberussa, mostly old men, women, and children, who are entirely dependent on the Government for support.

In addition to these refugees, upwards of 1,500 Bishareen Arabs have arrived on the frontier, having been driven in by famine and want of water in the desert. These unfortunate people are entirely destitute; a camp of 1,200 souls has been formed at Assouan, and there are some 300 others distributed between Assouan and Korosko. Last October a sum of £ E. 300 was granted for their relief, and when small-pox broke out amongst them a further grant of £ E. 250 was made for the establishment of a small-pox hospital. This disease is still rife amongst them, 200 deaths having occurred within two months, and further steps must be taken to prevent its spreading.

In view of the above, I have been obliged to ask Government to issue £ E. 100 per month for general relief. This amount has been generously accorded for three months, and I have been requested to consider the matter very carefully with a view to obviating further expenditure. I regret to say that my observations lead to no satisfactory conclusion, and I foresee the necessity of continuing to grant this relief for some time to come.

The further development of the Deberrah Settlement will assist in some measure to alleviate the distress.

The whole of this question calls for the serious attention of Government.

Medical and Sanitary Administration.—The addition of the Edfou districts to the frontier Mudirieh has largely increased the responsibilities, and medical arrangements for a large population have to be provided for.

Medical and Sanitary Arrangements.—At present the number of employés on the frontier Mudirieh is seven, while the average number in other Mudirieh is twenty-four, at a cost of £ E. 1,250 per annum, exclusive of food, drugs, instruments, and clothing.

It is suggested that a new civil hospital, probable cost about £ E. 250, be established at Edfou or Assouan, a smaller hospital being established at whichever one of these towns the larger hospital is not. It is also very necessary to establish a temporary small-pox hospital at Assouan.

There is no civil hospital in the neighbourhood of Halfa. The population of Deberussa is rapidly increasing, and steps should be taken to provide increased accommodation for the patients. They are at present admitted to the military hospital at Halfa, where the accommodation is quite inadequate.

The medical arrangements should be put on a sound footing at once, and for which purpose a grant of £ E. will be required, and I earnestly call the attention of Government to this point.

New Institutions.—Last year the Ministry of Public Instruction generously voted a sum of £ E. 100 for the building of a school. This sum was augmented by private subscriptions, and now an excellent school has been established and an efficient system of instruction inaugurated. This has supplied a much felt want in Assouan, and is very popular with all classes.

When money is available, I would recommend a school being established at Edfou.

At a cost of £ E. 500 a good civil prison has been erected at Assouan, capable of holding 150 prisoners.

A further grant of £ E. 250 has been requested, which will increase the accommodation to 250, and will then serve as an overflow prison for other Mudiriehs of Upper Egypt.

The increase in personnel would amount to £ E. 21 700 m. per mensem.

The prison at Shellal has been evacuated, and handed over to the Austrian Mission.

Considerable improvements have been effected in the town of Assouan. Many old buildings have been demolished, and new buildings are in course of erection.

A pharmacy, printing room, and archives office have been added to the Government buildings.

The public offices at Edfou are in a discreditable and unsanitary condition, and a sum of £ E. 150 is required to put them into a state of repair. This work should be undertaken without delay.

Horse and Camel Breeding.—There are a large number of horses of fair breed in many of the villages north of Assouan. The men ride well, and are proud of their horsemanship. This spirit and source of wealth should be encouraged, and a well-bred Arab stallion to stand at Edfou would lead to an improvement in the breed.

It might be eventually possible to purchase remounts for army and police services from these districts.

The camels in these districts are very numerous, and of a good stamp.

Officials.—The long and straggling position of this Mudirieh and the distances between towns and villages led to a want of supervision from the head-quarters of the

Mudirieh, and, consequently, the various officials became somewhat independent and apt to exercise undue authority over the villagers.

Under the military Mudirieh the increased supervision has led the Mudirieh officials to exert themselves considerably in the execution of their duties, with a most marked improvement in the whole official system.

There is still some improvement required in the northern districts, and I consider that the infusion of fresh blood amongst the officials is very desirable. This can be partially arranged in the frontier Mudirieh, and Wodehouse Pasha will shortly submit a list of the proposed changes.

I would here note that when the Esneh Mudirieh was abolished in 1888 the Edfou and Assouan districts were transferred to the Kench Mudirieh, and fourteen employés at a salary of £ E. 780 per annum were transferred to the head-quarters of the Mudirieh at Keneh to carry out duties in connection with these districts. I would suggest that some of these employés be now transferred to the frontier Mudirieh to which these districts are now attached, and for whom there is ample work.

I would suggest that the tax collectors be transferred within the Mudirieh, as it is considered that a system of frequent change amongst these officials is conducive to the speedier collection of revenue, and I hope the Governor of the frontier may be permitted to use his discretion in this matter.

The present leave Regulations for Government employés should be amended.

An official of the frontier Mudirieh is granted the same amount of leave as an official in Lower Egypt, but as, in the majority of cases, his home is in Lower Egypt, perhaps a third of his leave is spent in travelling to and from his home.

I would therefore suggest that the leave Rules, which apply to the military officials of this Mudirieh, be also made applicable to the civil officials.

I think it would also be reasonable to allow the civil officials to travel at the same rate as the military officials, viz., at quarter rates.

I feel sure that these special indulgences would result in increased efficiency.

Feeling of the Inhabitants.—During the late operations against Wad-el-Nejumi, I had occasion to report a want of loyalty amongst the inhabitants of the districts north of Assouan, notably Bimban.

It was not possible to obtain proof of direct complicity at the time, but I have little doubt that communications with the enemy did exist. A large number of the inhabitants of these districts were formerly Soudan merchants, who quitted the Soudan on its abandonment, but whose interests are still centred in that country.

The fact, therefore, that these districts now form part of the military Mudirieh will go far towards preventing a recurrence of last year's events, and I feel sure that if efforts are made to improve their condition by an equitable adjustment of the land tax, Government lands, &c., a spirit of loyalty will be engendered amongst these inhabitants, which, when occasion arises, would prove a source of strength to the Government.

In the meeting held at Assouan, the Sheikhs expressed the delight of the inhabitants at being relieved of the burden of the corvée. As there are no contracts in this Mudirieh, the Government employs the Sheikhs as "Mukkudmeen" of twenty-five or thirty men, payments are made weekly, and the inhabitants seem quite contented with the system.

Trade with the Soudan.—At the suggestion of Sir Evelyn Baring, and with the approval of His Highness' Government, a restricted trade has been opened with the Soudan.

It is as yet premature to judge of the effects of this policy, with which, in a military point of view, I could not concur; but having in view the weakened state of the Dervish forces, and their withdrawal to a considerable distance from the frontier, I do not think it probable that the opening of trade is at present a factor of much importance to either side. But in the event of any decided advance on the part of the Dervishes, I consider it would be imperative to stop all trade with the Soudan.

This measure is undoubtedly popular with the Assouan merchants, though I elicited from them the fact that they are obliged to sell their goods to the Dervishes at an exceedingly low price, and to purchase old gum from them at exceptionally high prices.

The few caravans which have returned report having realized a small profit, but merchants are disappointed with the general result.

The store of old gum at Abu Hamed will shortly be exhausted, and as fresh gum

has not been picked, it is not known what goods the Dervishes will offer in exchange.

When the larger caravans return the Government will be in a better position to form an opinion on the matter.

Merchants express themselves quite satisfied with the trade in general.

Occupation of Sarras and Events in the Soudan.—After the defeat of the Dervishes at Toski, it was considered advisable to reoccupy Sarras.

The advisability of continuing to hold this position, which is a bad one for defence, has been questioned, and I have suggested a compromise which, in view of the reported condition of affairs in the Soudan, appears to me to meet the requirements of the situation.

Up till quite recently the Dervish advanced post was at Suarda, some 119 miles south of Halfa. They have now evacuated this position, and retired further south. I attribute their withdrawal:—

(*a.*) To the idea that they anticipate an advance into the Soudan on the part of the Government.

(*b.*) Difficulty in obtaining supplies.

The occupation of Sarras by troops has no doubt led them to the first conclusion.

As regards the second, it must be remembered that the entire country between Abu Fatmeh and Sarras was almost completely devastated, and denuded of inhabitants by Wad-el-Nejumi in his march northwards: there is no cultivation, and there are no cultivators.

I am therefore of opinion that it would be inadvisable to withdraw from the advanced position at Sarras, which, however, I would propose to hold with a small detachment of mounted troops only, while the main body would be removed to a position some 4 miles north of Sarras where the ground is more open, and the general military position better.

The railway now extends to 22 miles beyond Halfa, and will be completed up to the proposed new camp.

In reviewing the general condition of the frontier, I consider that the Civil Administration has been much improved; there is a general feeling of security amongst the inhabitants, who have realized that their interests will be carefully considered by the Government.

I have expressed to Wodehouse Pasha my entire satisfaction with the arrangements he has made, and I have much pleasure in bringing the good services of this officer to the notice of His Highness' Government.

In the performance of his civil functions he has been most ably seconded by Mahir Bey, the Sub-Governor, and I cannot speak too highly of the excellent work performed by this hard-working and intelligent officer: his activity, zeal, and straightforward conduct have, in a large measure, contributed to the present satisfactory state of the province and the well-being of the inhabitants.

(Signed) F. W. GRENFELL, *Major-General,*
Sirdar.

No. 89.

The Marquis of Salisbury to Sir E. Baring.

Sir, *Foreign Office, April* 18, 1890.

YOUR despatch of the 25th ultimo has been referred to the Lords Commissioners of Her Majesty's Treasury, who have expressed their complete approval of the proposal to close the accounts of the Caisse de la Dette Publique on the 31st December of each year. They consider that it is most inconvenient to have one financial year for the Budget and another for the Debt.

I have accordingly to instruct you to convey to the Egyptian Government the assent of Her Majesty's Government to the proposed change.

I am, &c.
(Signed) SALISBURY.

No. 90.

Sir E. Baring to the Marquis of Salisbury.—(*Received April* 21.)

My Lord, *Cairo, April* 9, 1890.

I HAVE the honour to transmit to your Lordship herewith copy of a despatch which I have received from Mr. Barnham on the subject of the Suakin Famine Relief Fund.

I have informed Mr. Barnham that, as soon as the present sum of 500*l.* has been exhausted, application should, if necessary, be made by the Governor for a further continuation.

The Egyptian Government will without doubt grant whatever further sums may be required.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 90.

Consul Barnham to Sir E. Baring.

Sir, *Suakin, March* 31, 1890.

I HAVE the honour to inform your Excellency that on receipt of your telegram of the 21st instant, communicating an offer of assistance from the Aborigines Protection Society to the Suakin Famine Relief Committee, I laid the message before the Committee, and it was agreed that as measures of relief must be continued for nearly eight months from this date, we should require a further contribution over and above that voted by the Egyptian Government and that collected locally of 500*l.*, as stated in my telegraphic reply of the 22nd instant.

While thanking the Society beforehand for their kind offer, we trust that they will be able to aid our efforts by contributing this sum.

Relief works were started this afternoon, when 200 men and boys were told off for light road work suited to their strength, and were remunerated by a double ration of bread. The total number of those receiving out-door relief is not so large as it was a month ago, although many adult strangers have come in. The fact is that some undeserving cases have been eliminated from the number of those who at first received out-door relief, and the most distressing cases have been removed into the hospital, which has gradually increased in usefulness, until we now have 200 patients receiving medical aid. They suffer from exhaustion, or from fever and dysentery. Deaths are still very frequent.

The object we have in view is to bring into hospital those who are physically unable to work, and feed them until they are able to do so. There are, however, a very large number of children too small to do any kind of work.

Should the Aborigines Protection Society afford us the assistance now asked for, I would be happy to furnish them with a detailed Report upon our work and the manner in which their charity will have been expended.

I have, &c.
(Signed) H. D. BARNHAM.

No. 91.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 5.)

My Lord, *Cairo, April* 24, 1890.

I HAVE the honour to transmit herewith copy of a Khedivial Decree inflicting severe penalties, and under certain conditions the penalty of death, in cases of attacks by armed bands. I may mention that I was not consulted on the subject before the issue of the Decree in question. In view, however, of the fact that the crime of brigandage still exists in the provinces, there is, no doubt, a strong case in favour of the adoption of severer measures for its repression; and inasmuch as all convictions may be brought before a Court of Appeal, upon which the European element is now sufficiently represented, a solid guarantee is afforded that innocent persons will not be punished.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 91.

Extract from the "Journal Officiel" of April 23, 1890.

Décrets.

NOUS, Khédive d'Égypte,

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres;

Le Conseil Législatif entendu;

Décrétons:

Article 1er. Toute attaque suivie de meurtre commise par une bande armée entraînera la peine de mort contre celui ou ceux qui auront organisé la dite bande ou y auront exercé un commandement.

Les autres individus qui auront fait partie de cette bande seront punis des travaux forcés à perpétuité ou à temps.

Si l'attaque n'a pas été suivie de meurtre, la peine sera des travaux forcés à perpétuité contre celui ou ceux qui auront organisé la bande ou y auront exercé un commandement, et des travaux forcés à temps contre les autres individus, sans préjudice, dans tous les cas, de l'application des peines plus sévères que pourrait faire encourir tout crime concomitant.

Art. 2. Toutes autres dispositions contraires au présent Décret sont et demeurent abrogés.

Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

Fait au Palais d'Abdin, le 3 Ramadan, 1307 (22 Avril, 1890).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:

Le Président du Conseil des Ministres,

(Signé) Riaz.

Le Ministre de la Justice,

(Signé) H. Fakhry.

(Translation.)

Decrees.

WE, Khedive of Egypt,

At the instance of our Minister of Justice, and on the advice of our Council of Ministers in conformity therewith;

The Legislative Council having been consulted;

Decree:

Article 1. Any attack followed by murder committed by an armed band will entail the penalty of death on the person or persons who have organized the said band, or have held a command in it.

The other individuals who may have formed part of such band will be punished with penal servitude for life, or for a term.

If the attack has not been followed by murder, the punishment will be penal servitude for life for the person or persons who shall have organized the band, or have held a command in it, and penal servitude for a term for the other individuals, without prejudice, in all cases, to the infliction of more severe penalties which may have been incurred by the commission of any attendant crime.

Art. 2. All other provisions contrary to the present Decree are and remain annulled.

Art. 3. Our Minister of Justice is intrusted with the execution of the present Decree.

Done at the Palace of Abdin, the 3 Ramadan, 1307 (22nd April, 1890).

(Signed) MÉHÉMET TEWFIK.

Countersigned:

The President of the Council of Ministers,

(Signed) Riaz.

The Minister of Justice,

(Signed) H. Fakhry.

No. 92.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 12.)

My Lord, *Cairo, May* 1, 1890.

I HAVE already had occasion in some of my previous despatches to point out to your Lordship that the progress made in the direction of medical science has hitherto been comparatively slow in Egypt. The true remedy for this state of things is, I venture to think, to be found not so much in increasing the European staff in the native hospitals, as in paying special attention to the education given to native students in the Medical Schools. A Commission was appointed to study this question, and has now made several recommendations, amongst the most important of which is the appointment of an English doctor to the post of Professor of Practical Anatomy. I have the honour to inclose the Order of the Ministry of Public Instruction carrying this recommendation into practical effect.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 92.

Extract from the "Journal Official" of April 30, 1890.

Ministère de l'Instruction Publique.

LE Dr. Keatinge, employé au Ministère de la Guerre, a été nommé Professeur d'Anatomie Pratique à l'École de Médecine, à partir du 25 Mars dernier, au traitement mensuel de £ E. 50.

Le Caire, le 8 *Ramadan,* 1307 (27 *Avril,* 1890).

(Translation.)

Ministry of Public Instruction.

DR. KEATINGE, employed in the Ministry of War, has been appointed Professor of Practical Anatomy at the School of Medicine from the 25th March last, at a monthly salary of £ E. 50.

Cairo, 8 *Ramadan,* 1307 (*April* 27, 1890).

No. 93.

Sir E. Baring to the Marquis of Salisbury.—(*Received May* 12.)

My Lord, *Cairo, May* 2, 1890.

THE definitive accounts of the Daïra Sanieh for 1888 and the provisional accounts for 1889 have now been examined and approved by the Superior Council of the Administration, and I have the honour to inclose a note showing the results obtained. Your Lordship will observe that the final deficit of 1888 amounted to £ E. 112,000 and the provisional deficit of 1889 to £ E. 75,000.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 93.

Daïra Sanieh.

1888—

Les comptes définitifs de la Daïra Sanieh, pour 1888, ont été arrêtés à—

	£ E.	m.
Recettes	1,222,377	437
Dépenses	1,334,486	486
Déficit	112,109	049
Tandis que les comptes provisoires faisaient sortir un déficit de ..	85,358	353
Soit une différence de	26,750	696

resultant presque uniquement des arriérés de fermages.

1889—

Les comptes provisoires pour 1889 ont été arrêtés à—

Recettes	1,184,958	550
Dépenses	1,259,738	041
Déficit	74,779	491

Le budget de prévision pour cette même année était de—

	£ E.	
Recettes	1,228,211	
Dépenses	1,312,359	
Déficit	84,148	000
Soit une différence en moins de	9,369	491

repartie sur presque tous les chapitres du Budget.

Le Budget du Gouvernement ne prévoit pas séparément, dans ses dépenses, les déficits de la Daïra Sanieh et des Domaines. Ils sont compris dans une même somme et étaient—

	£ E.
Pour 1888	350,000
Pour 1889	275,000

En déduisant toutefois de ces sommes le déficit de l'Administration des Domaines, il resterait pour combler celui de la Daïra Sanieh—

	£ E.
En 1888	224,042
En 1889	209,580

No. 94.

Sir E. Baring to the Marquis of Salisbury.—(Received May 12.)

My Lord, *Cairo, May 2, 1890.*

TWO men who have lately arrived from the Soudan viâ Suakin report that great distress prevails throughout the whole country between Berber and Omdurman, and cultivation is becoming very rare. The inhabitants of Berber are in a wretched plight for want of food, but a considerable amount of grain and merchandize reaches that town from Suakin, the greater portion of which probably finds its way to Khartoum and other parts of the Soudan.

I have, &c.
(Signed) E. BARING.

No. 95.

Sir E. Baring to the Marquis of Salisbury.—(Received May 19.)

My Lord, *Cairo, May 8, 1890.*

I HAVE the honour to transmit herewith a general statement of the accounts of the Domains Administration from 1878 to 1889. The leading features of this statement are briefly as follows:—

The land sold or exchanged for pensions during this period amounted to 120,000 feddans, leaving a total area of 307,000 feddans in the hands of the Commissioners at the end of 1889. Of this area about 16 per cent. are waste lands, as compared with a figure of 18½ per cent. in 1879 at the time of the cession of the

lands. The lands at present formed by the Board amount to 23½ per cent., and those leased to 60½ per cent. of the total area.

During the period under consideration, direct cultivation gave an average gross yield of £ T. 480 per feddan, and it is satisfactory to note that in each of the three years 1887-89 this average has been exceeded. The rents from lands leased have produced on an average £ T. 133 per feddan. The cost of administration and cultivation, which amounted to £ T. 108 per feddan in 1879, has steadily diminished since 1881, and amounted to £ T. 88 per feddan in 1889, in spite of the fact that at the time of the cession the workmen were not always paid, and cattle were requisitioned gratis for service on the estates, neither of which privileges are now enjoyed by the Board. This result undoubtedly bears witness to a very considerable improvement in the methods of administering the lands.

The average annual net revenue of the Domains amounted to 3·29 per cent. on the capital value of the loan. This may seem a somewhat small return, but it must be remembered that the original amount of the loan was considerably greater than the commercial value of the lands.

The actual amount of the Domains loan on the 31st December, 1889, was £ E. 5,044,000. The funds in the hands of the administration amounted to £ E. 361,000, while the value of the lands remaining to be sold was, according to the "Cahier des Charges," £ E. 5,104,000. The valuations of the "Cahier des Charges" are, however, considered to be between 20 per cent. and 25 per cent. more than the present saleable value of the lands.

I have, &c.
(Signed) E. BARING.

No. 96.

Sir E. Baring to the Marquis of Salisbury.—(Received May 24.)

My Lord, *Cairo, May 15, 1890.*

THE Annual Report of the Egyptian Postal Administration, which has just been published, shows that considerable improvement has taken place during the past year in the various branches of that Department.

There has been an increase of 4·76 per cent. in the amount of correspondence transmitted as compared with that of the preceding year. Thus the number of letters, parcels, &c., sent through the post during 1889 was 14,081,600, while the number transmitted in 1888 was only 13,441,500.

The number of post-cards used by the public has also been nearly tripled in the last five years.

In the course of last year the postal service was extended to 170 new localities in the various provinces, comprising a population of some 400,000 inhabitants.

An important event in the Postal Administration was the suppression last October of the Austrian Post-office in Egypt. This act on the part of the Austrian Government shows the increased efficiency of the native service, and tends to remove much inconvenience. The Postmaster-General quotes on this subject an extract from a Report drawn up by the Austro-Hungarian Chamber which runs as follows:—

"La multiplicité des bureaux de poste a toujours été un grand inconvénient pour le commerce, mais elle était jadis justifiée por l'état primitif dans lequel se trouvait le service postal Égyptien. Aujourd'hui cependant que ce service fonctionne régulièrement il ne saurait qu'être avantageux pour le commerce, les Colonies, et le pays, que le service postal soit concentré en une seule et unique Administration."

The French Post-office now remains the only one left in this country, and the Government of the Republic, notwithstanding repeated representations, refuses persistently to abolish it.

I have, &c.
(Signed) E. BARING.

No. 97.

Sir E. Baring to the Marquis of Salisbury.—(Received June 18.)

My Lord, *Cairo, June 5, 1890.*

WITH reference to your Lordship's despatch of the 18th April last, I have the honour to transmit herewith copy of a Khedivial Decree which appeared in the

"Journal Officiel" of yesterday, announcing that the accounts of the Caisse de la Dette Publique would in future be closed on the 31st December of each year, all the Powers interested having given their assent to this change of date.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 97.

Extract from the "Journal Officiel" of June 4, 1890.

Décret.

NOUS, Khédive d'Égypte,

Vu la Loi de Liquidation du 17 Juillet, 1880, et nos Décrets du 27 Juillet, 1885, et du 12 Juillet, 1888.

Avec l'assentiment des Puissances représentées à la Caisse de la Dette Publique;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

Décrétons:

Article 1er. A partir de l'année 1890 le compte des excédents des revenus affectés au Service de la Dette sera arrêté à la date du 31 Décembre de chaque année.

Art. 2. Le compte des revenus affectés pour l'année 1890 comprendra, en outre, des revenus du 1er Janvier au 31 Décembre de la dite année, ceux recouvrés du 26 Octobre au 31 Décembre, 1889;

En conséquence, une somme de £ E. 1,253,914, correspondant aux recouvrements de cette période, sera prélevée, au 31 Décembre, 1890, comme première charge sur le solde restant à la Caisse après le service des coupons de 1890, et reportée à l'Exercice 1891.

Prélèvement et report de pareille somme devront être effectués à la fin de chaque année.

Au cas où le solde au 31 Décembre d'une année serait inférieur au montant des prélèvements et report à opérer, la différence sera ou fournie par le fonds de réserve, ou subsidiairement versée à la Caisse par le Gouvernement.

Art. 3. Sont abrogées toutes les dispositions de nos Décrets antérieurs contraires à celles du présent Décret.

Art. 4. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 2 Juin, 1890 (14 Chawal, 1307).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive:
Le Président du Conseil des Ministres,
Ministre des Finances,
(Signé) Riaz.

(Translation.)

Decree.

WE, Khedive of Egypt,

In view of the Law of Liquidation of the 17th July, 1880, and our Decrees of the 27th July, 1885, and of the 12th July, 1888.

With the assent of the Powers represented on the "Caisse" of the Public Debt;

At the instance of our Finance Minister, agreed to by our Council of Ministers;

Decree:

Article 1. Dating from the year 1890, the accounts of the surplus revenue appropriated to the payment of the Debt will be balanced on the 31st December of each year.

Art. 2. The accounts of the assigned revenues for 1890 will comprise, besides the revenue from the 1st January to the 31st December of the said year, that collected from the 26th October to the 31st December, 1889;

Consequently, a sum of £ E. 1,253,914, the amount of the sums due for this

period, shall be levied, on the 31st December, 1890, as a first charge on the balance remaining in the "Caisse" after the payment of the 1890 coupons, and carried over to the financial year 1891.

A similar sum must be levied and brought forward at the end of each year.

In case the balance, on the 31st December of any one year, should be less than the amount to be thus levied and brought forward, the difference shall be either furnished from the reserve funds, or paid to the "Caisse" as a subsidy from the Government.

Art. 3. All anterior Decrees contrary to the present Decree are abrogated.

Art. 4. Our Finance Minister is charged with the execution of the present Decree.

Done at the Palace of Ras-el-Tin, the 2nd June, 1890 (14th Chawal, 1307).

(Signed) MÉHÉMET TEWFIK.

By the Khédive:
The President of the Council of Ministers,
Minister of Finance,
(Signed) RIAZ.

No. 98.

Sir E. Baring to the Marquis of Salisbury.—(*Received June* 18.)

My Lord, *Cairo, June* 8, 1890.

I BEG to inclose herewith a Report issued by the Alexandrian General Produce Association, on the cotton crop prospects of this year, and published in the "Egyptian Gazette" of yesterday.

The Report is worthy of notice as it shows that the Alexandria merchants fully recognize the benefits which the cultivation of cotton in this country has derived from the improvements in the irrigation works, and from the better distribution of water.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 98.

Extract from the "Egyptian Gazette" of June 7, 1890.

ALEXANDRIA GENERAL PRODUCE ASSOCIATION.

Section Cotonnière.

Cotton Crop Prospects, May 1890.

THE good temperature of the month of May has been favourable to the plantations; no adverse circumstances impeded the development of the cotton plants; therefore they have a normal and satisfactory aspect.

The supply of water is, up to the present, fully sufficient; everywhere the watering is easily carried on by means of pumping engines.

This position will continue, at all events, during a good portion of the month of June, although the Nile is excessively low.

This is due to the constant improvements made at the Barrage, the progressive effects of which become, every year, more appreciated, and to the intelligent system of distributing the water adopted by the Government.

Will it possibly be prolonged up to the moment when the new rise will cause all uneasiness to cease? It is to be hoped so, but it must not be forgotten that on the one hand there are yet no data to judge of the probabilities of the earliness or the lateness of the future rise, and on the other hand, the necessities for watering are considerably increased the more we advance into the summer.

Whatever may happen, the plants are in good condition and nothing has hampered them up to the present; this circumstance has always been considered as favourable,

because their vigour will allow them to better support the evils which may appear later on.

It is an advantage which certainly has its value, but generally it is impossible to give a positive opinion based on the appearance of the crop in May; several months, and those the most critical ones, separate us yet, and up to then both favourable or unfavourable influences may act on the cotton plants.

Alexandria, May 31, 1890.

No. 99.

Sir E. Baring to the Marquis of Salisbury.—(*Received July* 1.)

My Lord, *Cairo, June* 19, 1890.

I HAVE the honour to inclose a copy of the "Official Journal," in which the proceedings at a recent meeting of the Legislative Council are reported. These proceedings have attracted a good deal of attention in Egypt.

The facts are briefly as follows:

A short time ago the Egyptian Government submitted to the Council the draft of a Law, having for its object the more effectual suppression of brigandage, the name usually applied here to attacks made by organized bodies of armed men on houses and villages. It was proposed that when attacks of this nature resulted in murder, capital punishment might be inflicted, not only, as at present, on the person or persons who could be proved to have committed the act which was the cause of death, but also on those who had organized or who commanded the band of robbers.

This proposal was quite reasonable. Moreover, as the right of appeal exists, and as several European Judges sit on the Court of Appeal, a solid guarantee was afforded against injustice or undue severity.

With a view to bringing its proposal into harmony with the requirements of the Sheriât or sacred law of Islam, the Government in conformity, I believe, with its usual practice, consulted the Sheikh El-Abbassi before submitting the draft to the Legislative Council. I should explain that the Sheikh El-Abbassi occupies the position of Grand Mufti. He is the recognized official expositor of Mahommedan law. He it is who issues "fetwa" (legal opinions).

The Sheikh prepared a counter-project which he communicated to the Egyptian Government. This counter-project not being accepted, the Sheikh submitted it to the Legislative Council when the discussion of the Government measure took place.

I need not attempt to summarize the Sheikh's proposal. It is obviously based on principles which would not now be applied in any civilized State. Nevertheless, as your Lordship will observe, a majority of the Council voted in favour of it.

Under the Organic Law of Egypt the Government is not obliged to accept the views of the Council. There is, therefore, of course no prospect whatever of the proposal made by the Sheikh El-Abbassi being adopted. The incident is only important in so far as it shows the views on the administration of justice held by certain sections of the community in Egypt. It also affords some indication of what might occur were free institutions too rapidly developed in this country.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 99.

Extract from the "Journal Officiel" of June 16, 1890.

CONSEIL LÉGISLATIF.

Procès-verbal de la Séance du Mardi, 25 *Chaban,* 1307 (15 *Avril,* 1890).

LA séance est ouverte à 3 heures et demie à la Turque (10 heures du matin), sous la présidence de Hassan Helmi Pacha, Vice-Président du Conseil Législatif, et en présence de vingt-deux membres.

Lecture est donnée au procès-verbal de la séance précédente, dont la rédaction est approuvée.

M. le Vice-Président.—Par lettre en date du 22 Chaban, 1307 (12 Avril, 1890), son Excellence le Président du Conseil des Ministres a transmis au Conseil Législatif un projet de Décret relatif à la peine à infliger à ceux qui auront organisé une bande armée ou y auront exercé un commandement, ainsi qu'aux individus qui auront fait partie de cette bande.

M. le Secrétaire est invité à donner lecture de la lettre et du projet afin que Messieurs les membres du Conseil fassent connaître leurs observations à ce sujet.

Lettre de Son Excellence le Président du Conseil des Ministres :—

" M. le Président,

" J'ai l'honneur de vous transmettre ci-joint un projet de Décret relatif à la peine à infliger à ceux qui auront organisé une bande armée ou y auront exercé un commandement, ainsi qu'aux individus qui auront fait partie de cette bande.

"Je vous prie, M. le Président, de bien vouloir le soumettre à l'examen du Conseil Législatif, et me le retourner le plus tôt possible muni des observations que son examen aura suggérées à Messieurs les membres.

" ' *Projet de Décret.*

" ' Nous, Khédive d'Égypte,

" ' Sur la proposition de notre Ministre de la Justice, et l'avis conforme de notre Conseil des Ministres ;

" ' Le Conseil Législatif entendu ;

" ' Décrétons :

" ' Article 1er. Toute attaque suivie de meurtre commise par une bande armée entraînera la peine de mort contre celui, ou ceux qui auront organisé la dite bande ou y auront exercé un commandement.

" ' Les autres individus qui auront fait partie de cette bande seront punis des travaux forcés à perpétuité ou à temps.

" ' Si l'attaque n'a pas été suivie de meurtre, la peine sera des travaux forcés à perpétuité contre celui ou ceux qui auront organisé la bande, ou y auront exercé un commandement, et des travaux forcés à temps contre les autres individus, sans préjudice, dans tous les cas, de l'application des peines plus sévères que pourrait faire encourir tout crime concomitant.

" ' Art. 2. Toutes autres dispositions contraires au présent Décret sont et demeurent abrogées.

" ' Art. 3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.' "

El Cheik Hussein Abedin.—Je suis d'avis d'appliquer la peine qu'encourent les organisateurs ou les commandants des bandes armées, aux individus dont les maisons servent de lieu d'asile aux brigands.

Ahmed Effendi Marzouk.—J'approuve le texte élaboré par le Gouvernement.

Soufani Bey.—Je partage l'avis d'Ahmed Effendi Marzouk, car il n'est pas possible d'adopter la proposition de l'honorable Cheik Hussein Abedin, proposition par suite de laquelle s'élèveront de nombreuses difficultés. Je ferai remarquer cependant que le Code Pénal prescrit les peines qui doivent être infligées aux individus dont les maisons servent de repaire aux brigands.

Ghamraoui Bey.—Je demande la lecture de la partie du Code Pénal traitant de la peine à infliger aux individus visés par l'honorable Cheik Hussein Abedin.

Awad Bey Saadallah.—J'approuve le texte élaboré par le Gouvernement.

L'honorable Cheik Mohamed Effendi-el-Abbassi.—Sur la demande du Gouvernement, j'ai réuni dans un projet composé de douze Articles toutes les prescriptions du " char " au sujet des brigands.

Ce projet donne les qualifications applicables aux brigands et les peines à leur infliger.

Je propose qu'il en soit donné lecture pour que mes honorables collègues en prennent connaissance.

Approuvé.

Projet de Decret relatif aux Brigands, à leur Classification, et aux Peines dont ils sont passibles suivant les Méfaits commis, en conformité des Dispositions de la Sainte Loi, rite Hanafite en vigueur dans tous les Pays dépendant de l'Empire Ottoman.

Première Partie.—*Qualification des Brigands passibles des Peines édictées par la Loi.—Conditions requises pour l'Application de ces Peines.*

Article 1er. Les brigands sont ceux qui infestent les routes, pendant le jour ou la nuit, pour attaquer les voyageurs et passants, soit dans un désert plus ou moins éloigné des centres peuplés, soit même dans des cités, villes, ou villages, &c., soit enfin dans l'espace compris entre ces localités.

Les peines édictées contre le brigandage ne sont applicables qu'en tant que les méfaits ont été commis sur le territoire d'un pays régulièrement constitué et régi par la Loi "Dar-el-Adl."

Art. 2. Pour être frappés des peines édictées à leur encontre, les brigands doivent constituer un corps assez puissant pour perpétrer par la force des attentats et vaincre toute résistance. Les mêmes punitions atteignent également tout individu qui, quoique isolé, saurait par ses exploits inspirer la terreur et se livrer aux actes de brigandage.

Art. 3. Les "ma'soums," c'est-à-dire, les personnes jouissant du droit commun et non proscrites ou mises hors la loi, peuvent seules être considérées comme brigands, qu'ils soient Musulmans ou "zemmis" (non-Musulmans sujets et tributaires de l'Empire).

Pour que les peines dont il sera parlé plus loin soient applicables aux brigands, la loi exige que la victime d'un acte de brigandage, Musulman ou "zemmi," soit également "ma'soum."

Il n'y a pas lieu d'appliquer de peines contre le brigandage, si l'une des deux parties, agresseur ou victime, ne se trouve pas réunir les conditions précitées. Dans ce cas, le malfaiteur sera soumis à une peine correctionnelle "tézir," telle que la bastonnade ou l'emprisonnement, pour avoir compromis la sécurité des routes et enfreint le pacte imposé tacitement par la Loi Islamique pour le maintien de la tranquillité générale. Mais s'il s'agissait de crime prouvé, comme assassinat, vol, ou blessures, les peines édictées par la loi pour ces méfaits pourraient être prononcées.

Art. 4. Pour l'application de la peine contre le brigandage, il faut que l'attaque ait eu lieu sur le territoire de Dar-el-Adl, pendant la nuit avec ou sans armes, et pendant le jour les armes à la main, dans une ville, un village, ou dans l'espace intermédiaire. La même punition atteint également les actes de brigandage commis dans un désert de Dar-el-Adl situé à trois jours de distance des centres peuplés.

Art. 5. La peine contre le brigandage ne peut être appliqué:—

1. Si l'un des membres de la bande n'était pas "mokallaf" (capable), c'est-à-dire, s'il n'était pas tenu aux obligations que la religion impose à tout Musulman pour une des raisons considérées à ce sujet;

2. Dans le cas où l'un des membres de la bande serait parent utérin à un degré où il y aurait prohibition de mariage ou associé en commun et indivis d'une des victimes;

3. Si un membre de la bande était muet;

4. Si la part du produit du vol revenant à chaque membre de la bande n'atteignait pas le montant de 10 "dirhems" de bon aloi, somme fixée pour qu'un vol soit qualifié par la valeur;

5. Si avant l'arrestation, les malfaiteurs ont manifesté quelque repentir et restitué le montant du vol.

Il y aura lieu alors de prononcer une peine correctionnelle ("tézir") ou d'emprisonnement, sans préjudice des pénalités encourues, après preuves légales, pour tout autre crime, comme le talion, l'amende expiatoire pour le prix du sang versé et les dommages-intérêts.

Art. 6. Un acte de brigandage ne peut être considéré et puni comme tel que dans deux cas, savoir:—

1. Si les coupables avouent, une seule fois, leur crime sans se rétracter, parce qu'alors ils seraient simplement condamnés aux dommages-intérêts pour les dégâts qu'ils auraient occasionnés et reconnus. Ils seraient également frappés de la peine du talion ou de l'amende expiatoire pour la détérioration d'un organe, suivant les crimes qu'ils auraient avoués;

2. Si le fait est établi par la déposition de deux témoins qui aient assisté à la perpétration du crime ou à l'aveu des coupables.

Deuxième Partie.—*Peines édictées contre le Brigandage.*

Art. 7. Tout brigand qui viendrait à être arrêté avant d'avoir dérobé le bien d'autrui ou commis un homicide, serait, après avoir subi la peine correctionnelle de la bastonnade, emprisonné jusqu'à ce qu'il vienne à récipiscence, non par des paroles mais par une honnête conduite, ou qu'il y meure.

Art. 8. Les brigands qui se seraient emparés du bien d'un "ma'soum," chacun pour la valeur de dix "dirhems" constituée par de la monnaie de bon aloi ou par des objets, seront condamnés à la peine de l'amputation de la main droite et du pied gauche, à la condition toutefois qu'ils aient l'usage de leurs quatre membres.

Art. 2 Les brigands qui auraient commis un meurtre sur la personne d'un "ma'soum," sans que l'acte soit accompagné de vol, seront tous punis de mort. Cette peine étant droit de Dieu, est irrémissible soit par le pardon de l'héritier de la victime soit par la grâce souveraine. Elle sera infligée sans qu'il soit besoin de constater l'existence des conditions requises pour l'application de la peine du talion, et atteindra également l'auteur du crime et son complice, quoique l'assassinat n'ait été matériellement commis que par un seul individu.

Dans le cas où, par suite du manque d'une des conditions sus-indiquées, la peine capitale ne pourrait pas être appliquée, la peine du talion, si elle était jugée nécessaire, serait encourue par l'auteur direct du crime seulement. Autrement, ce dernier pourrait être admis à payer la composition, c'est-à-dire la compensation pécuniaire due par le meurtrier à la famille ou aux parents de celui qu'il a tué.

Les complices seront soumis, suivant la nature du crime, à des peines correctionnelles ou autres.

Art. 10. Il est laissé à la faculté de l'Imam (Chef de l'État) de prononcer contre les brigands convaincus d'assassinat et vol, l'une des six peines suivantes :—

1. L'amputation de la main droite et du pied gauche, suivie de l'exécution capitale ;
2. L'amputation comme ci-dessus et le crucifiement ;
3. L'amputation comme ci-dessus, l'exécution capitale et le crucifiement ;
4. L'exécution capitale et le crucifiement ;
5. L'exécution capitale seule ;
6. Le crucifiement seul.

Le crucifiement consiste à attacher le condamné vivant sur un échafaud, à lui donner la mort en lui enfonçant une lance dans le ventre, et à laisser son cadavre exposé ainsi pendant trois jours. Dans le cas où le coupable serait condamné par l'Imam à l'exécution capitale et au crucifiement en même temps, l'exécution capitale doit précéder l'exposition du cadavre sur l'échafaud.

Le crucifiement s'opère de la manière suivante :—

On fixe à un poteau deux barres de bois parallèles et transversales à une certaine distance l'une de l'autre ; le poteau ainsi garni est fixé perpendiculairement dans le sol ; on attache ensuite les deux pieds du patient écartés l'un de l'autre à la barre inférieure et ses deux mains également écartées à la supérieure. Ainsi attaché, le condamné sera percé à la mamelle gauche par une lance qui devra être remué dans la blessure jusqu'à ce que la mort ait lieu.

Art. 11. Dans le cas où des brigands se seraient rendus coupables d'une ou de plusieurs blessures non suivies de mort et en même temps d'un vol qualifié par la valeur, comme il a été dit plus haut, ils seront punis par l'amputation de la main droite et du pied gauche sans condamnation pour les blessures occasionnées, car on ne peut cumuler l'amputation et le paiement des dommages-intérêts à titre d'amende expiatoire pour le sang versé.

Art. 12. Les peines infligées aux brigands ne peuvent être appliquées dans les cas suivants :—

1. Si les malfaiteurs n'occasionnent que des blessures non suivies de mort et sans commettre un vol qualifié par la valeur :
2. Si après avoir commis un assassinat prémédité suivi de vol qualifié par la valeur, ils manifestent quelque repentir et restituent le bien volé avant d'être appréhendés au corps ;
3. Si en consommant un homicide prémédité ils commettent un vol non qualifié par la valeur et tombent entre les mains de la justice avant d'avoir manifesté leur repentir ;
4. Si parmi les malfaiteurs se trouvent :

(*a.*) Un individu qui n'est pas "mokallaf" (capable) ;
(*b.*) Un muet ;

(*c.*) Un parent utérin d'une des victimes à un degré ou il y ait prohibition de mariage;

(*d.*) Un individu qui ait ses biens en commun et indivis avec l'une des victimes;

(*e.*) S'il s'agit d'une attaque réciproque entre voyageurs.

Dans chacun des cas précités l'héritier de la victime a droit d'exiger l'application de la peine du talion, s'il s'agit d'un meurtre prémédité, et à défaut à l'amende expiatoire pour le sang versé. L'héritier ou l'ayant droit peut également accorder son pardon dans les deux cas après l'établissement des preuves légales.

Chawarbi Bey.—J'approuve le projet présenté par l'honorable Cheikh.

Ibrahim Helmi Pacha.—Mes honorables collègues savent parfaitement que le Gouvernement n'a élaboré le projet soumis actuellement à l'examen du Conseil Législatif que par suite des attaques nombreuses qui se commettent sans cesse par des bandes armées.

Le projet présenté au Conseil Législatif par l'honorable Cheikh El Abbassi renfermant toutes les prescriptions du "char" en ce qui concerne les peines à infliger aux brigands, je suis d'avis de l'adopter.

Il n'y a point de doute que par ces prescriptions les crimes disparaissent.

Son Éminence Kirollos (Patriarche Copte-Orthodoxe).—J'approuve le texte du projet élaboré par le Gouvernement, car il renferme toutes les prescriptions voulues.

Gad Effendi Moustapha.—J'approuve également le texte du projet élaboré par le Gouvernement; toutefois, je crois opportun de condamner à la peine capitale tous les organisateurs et les chefs des bandes armées qui commettent des attaques suivies de meurtre, ainsi que les individus qui auront fait partie de ces bandes, car si ceux-ci ne se réunissaient pas, il ne leur aurait pas été possible de commettre des attaques ou des meurtres.

Quant aux individus ayant fait partie des bandes dont l'attaque n'a pas été suivie de meurtre, je suis d'avis de leur infliger la peine des travaux forcés à perpétuité, comme les organisateurs et les commandants des ces bandes.

Ibrahim Edham Pacha, Ismaïl Pacha Mohamed, Ahmed Effendi El-Harmil, Moustapha Bey Mansour, Ahmed Effendi Khalaf Allah, El-Sayed Serour Chehab El-Din, Hassan Bey Madkour, El-Sayed El-Bakri, Ahmed Bey Abaza, et Toulbah Bey Sioudi partagent tous l'avis de l'honorable El-Sayed El-Abbassi.

L'avis de l'honorable Cheikh est, par conséquent, adopté à la majorité des voix.

M le Vice-Président.—La séance est levée à 5 heures à la Turque (midi).

No. 100.

Sir E. Baring to the Marquis of Salisbury.—(Received July 9.)

My Lord, *Cairo, June 24, 1890.*

IT will be within your Lordship's recollection that at the time of the institution of the Alexandria Municipality, certain powers of taxing Europeans were conferred upon that body. I have now the honour to inclose copy of an Order which has been issued by the Municipality, imposing the carriage tax upon Europeans. This tax has hitherto been collected only from the natives, an inequality which has now, so far at least as the town of Alexandria is concerned, been removed.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 100.

Extract from the "Journal Officiel" of June 23, 1890.

MUNICIPALITÉ D'ALEXANDRIE.

LE Président de la Commission Municipale, vu les Articles 15, §§ 2, 19, et 40, ainsi que le préambule du Décret du 5 Janvier, 1890, instituant la Commission Municipale;

Vu les délibérations de cette Commission des 31 Mai et 18 Juin, 1890, approuvées par son Excellence le Ministre de l'Intérieur;

Arrête:

Article 1er. La taxe sur les voitures et les bêtes de somme actuellement perçue à charge des indigènes sera aussi perçue à l'encontre des étrangers à partir de la date du Décret susvisé (5 Janvier, 1890).

Art. 2. La Daïra Baladieh est provisoirement chargée jusqu'au 31 Décembre, 1890, de la perception de la dite taxe pour compte de la Commission Municipale.

(Signé) OSMAN ORPHI.

Alexandrie, le 21 *Juin*, 1890.

Approuvé:
Le Ministre de l'Intérieur,
(Signé) RIAZ.

Le 22 *Juin*, 1890.

(Translation.)

MUNICIPALITY OF ALEXANDRIA.

THE President of the Muncipal Commission, with reference to Articles 15, §§ 2, 19, and 40, as well as to the preamble of the Decree of the 5th January, 1890, instituting the Municipal Commission;

With reference to the discussions of the said Commission of the 31st May and 18th June, 1890, approved by his Excellency the Minister of the Interior;

Order:

Article 1. The tax on carriages and beasts of burden at present levied on natives shall be also levied on foreigners from the date of the Decree above referred to (5th January, 1890).

Art. 2. The Daïra Baladieh is intrusted provisionally up to the 31st December, 1890, with the collection of the said tax on account of the Municipal Commission.

(Signed) OSMAN ORPHI.

Alexandria, June 21, 1890.

Approved:
The Minister of the Interior,
(Signed) RIAZ.

June 22, 1890.

No. 101.

Sir E. Baring to the Marquis of Salisbury.—(Received July 9.)

My Lord, *Cairo, June* 27, 1890.

YOUR Lordship is aware that for the last four years important works have been going on at the Barrages. These Barrages are situated at a point a few miles below Cairo, where the Nile divides into two branches, one of which flows into the sea at Rosetta and the other at Damietta. They control the irrigation of the greater part of Lower Egypt.

The works being now completed, I asked Sir Colin Moncrieff to write a short account of what had been done. I have now the honour to inclose Sir Colin Moncrieff's Report. It is a very modest record of excellent work performed under considerable difficulties, and in the face of a good deal of opposition. I can quite confirm what Sir Colin Moncrieff says as to the opinions generally entertained about the Barrages a few years ago. The works were thought to be of little or no value. It is greatly to the credit of Sir Colin Moncrieff and the officers serving under him that, neglecting these opinions, they should have undertaken the works which have now proved so successful.

Your Lordship will remember that when the Conference met in London in 1884 great doubts, which I personally shared, were entertained as to the solvency of Egypt. One, and that not the least important, of the reasons why the fears which were enter-

tained six years ago have proved to be groundless, is to be found in Sir Colin Moncrieff's Report. He estimates that a capital outlay of 420,000*l.* has saved over 800,000*l.* a-year to the country. I conceive this estimate to be very moderate. Had the old régime in irrigation, as in other matters, continued, I have very little doubt that the fears entertained in 1884 would have been realized.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 101.

Note on the Nile Barrage.

THE Nile Barrage is a great river dam, consisting of two bridges placed across the Rosetta and Damietta branches of the river, where they divide at the apex of the delta. The arches of these bridges are intended to be fitted with gates, by dropping which the water can be held up and diverted into three main canals, the sources of irrigation to the whole of Lower Egypt. It was intended that when the river was low and the gates dropped the water would be raised 4½ metres, or 14 ft. 9 in. When the Nile was in flood the gates would be raised, and every possible obstruction removed from the flow of the river. These arches are of 5 metres span. There are sixty-one in the barrage of the Rosetta and seventy-one in that of the Damietta branch. On the flanks are locks for the passage of boats. The whole length of the Rosetta is 465, and of the Damietta 535, metres, or, in all, 1,095 yards.

The Barrage was begun on designs of an accomplished French engineer (Mougel Bey) during the reign of Mohammed Ali Pasha, about 1843. It was continued under his successors and finished in 1861 at a cost of 1,800,000*l.*, besides the unpaid labour of uncounted annual corvées and of whole battalions of soldiers. The gates were fitted into the Rosetta Barrage, and it was tried in 1863. Ominous cracks soon appeared. A serious settlement took place in 1867, and after that no serious effort seems to have been made to use the Barrage. On the Damietta side the gates were not even fitted to the arches. On the Rosetta side the maximum head of water ever held up was 1·75 metres (5 ft. 9 in.), and this was only for a short time.

Sir John Fowler reported during the reign of the late Khedive, that to place the Barrage in serviceable order would cost 1,200,000*l.*; but all hope of its ever succeeding had disappeared, and when I came to Egypt in May 1883 I was warned by all, English as well as foreign engineers, to have nothing to say to so unsound a work.

I found the Public Works Ministry had then just concluded a Contract to last until 1915 with a private Company to supply irrigation to the Western Delta (Behera province), at a cost of about 50,000*l.* per annum; and the first thing that I had to do on arrival at Cairo was to pronounce on a proposal to continue this system of irrigation by means of pumps to the whole of Lower Egypt at an initial cost of 700,000*l.*, and an annual outlay of 248,550*l.*

Before I could accept so extravagant a programme, I felt I must be certain that the Barrage was the worthless failure it was represented, and when in December 1883 I was joined by Mr. Willcocks, an engineer of high ability and Indian experience, we agreed we would test it before condemning it utterly.

The work had been so long neglected that timbers were rotten, iron was rusted, there were no appliances or tools, and attached to it there was a large establishment of superannuated and incompetent men, who for years had done little besides drawing their pay.

Mr. Willcocks' enthusiasm and ability however were equal to all these difficulties, and he lost no time in seeing what the Barrage really was worth.

It was easy to see we were dealing with an unsound work; the arches of the Rosetta branch were cracked from side to side, and we could only guess what there must be below the muddy water. But we resolved to make a trial, so we spent 25,611*l.* in the spring of 1884, and held up the water surface 2·20 metres, or 7 ft. 2 in., when the river was at its lowest. This flushed the canals, and gave an unwonted impulse to the irrigation. Fortune so far attended us that the cotton crop of 1884 was the best on record, and the General Produce Association of Alexandria did us the honour of publicly thanking us for our efforts.

In 1885 we carried on the system of patching up and working the unsound Barrage. It involved constant watchfulness and not a little anxiety, but we succeeded in holding up

3 metres, or 9 ft. 10 in., throughout the season of low Nile. We spent on it that year 18,246*l.*

We knew, however, that all these temporary expedients were but makeshifts, and that, sooner or later, we might have an accident stopping irrigation at the most critical season, and killing a whole cotton crop. So when in 1885 the Great Powers, on the urgent representation of Sir Evelyn Baring, allowed Egypt to borrow 1,000,000*l.* for irrigation works, we felt the first thing to do was to place this Barrage, on which hung the irrigation of Lower Egypt, on a thoroughly sound footing. Again I looked to India for helpers, and the services of four were lent to enable me to spend the million to the best advantage. Lieutenant-Colonel Western, R.E., was appointed Director-General of the new works, and he brought with him from the Punjab canals Mr. A. G. W. Reid, who was specially charged with the Barrage.

The Barrage is built on nothing more solid than alternate beds of fine river sand and alluvial mud. This is not a very favourable foundation for an ordinary bridge, and during the flood-season the Barrage is not only exposed to the risks of an ordinary bridge, but during low Nile it is exposed to much more. The water on one side in June 1885 was 15·74 feet deep, on the other side only 5·90 feet, a difference of nearly 10 feet; hence a constant tendency of the water to percolate under the foundations, and establish a uniform level. Had the Barrage been built in a bed of loose boulders, this percolation would have deprived us of all the water intended to fill the canals, but it would not have hurt the work itself. Not so with a foundation of mud and sand. The water passing through these is likely to carry the particles along with it, and by degrees undermine the whole. Evidently, some such action had caused the alarming cracks in 1867.

The problem then was to place across the river an impermeable bar, round which the water would not travel. Sir John Fowler had proposed to do this by sinking a water-tight wall of concrete 60 feet below the river's bed. This would have succeeded could it have been built, but we shrunk before the great cost, and also the more we saw of the Barrage, the more we feared that digging such a deep hole close to it might bring it all to ruin.

For some time after their arrival in 1885, Lieutenant-Colonel Western and Mr. Reid thought the task so unpromising, that it might be cheaper and better to build an entirely new dam, and estimates were framed accordingly. But we thought it would be a shame to abandon so imposing a work as the old Barrage if it could be repaired at all, so on the 24th March, 1886, we began forming an earthen coffer dam out into the river, inclosing the twenty arches at the west end of the Rosetta Barrage, these being the arches most seriously cracked. The water within the coffer dam was pumped out, and we got down to the flooring and saw what we had to deal with; for one of our chief difficulties arose from the want of any record, plans, or descriptions of what had actually been built. We knew what it had been intended to build, but that was very different.

As I have said, we dreaded the result of deep excavations. It was decided, therefore, instead, to spread the foundations out, so as to form a broad, water-tight platform.

Whether with a very deep foundation, or a broad one, the object was the same, to stop the water passing under, or to compel what little did pass to travel so far either vertically or horizontally that its velocity would be checked, and not only would this prevent its washing out sand and mud, but it would cause it to part with the sand or mud brought in with it, so that every year the substratum would become more and more impermeable, like an old filter.

This was no new idea, but only the system pursued by Sir Arthur Cotton with the great river dams of Southern India. In no Indian river that I know, however, is the sand and mud so fine as in the Nile.

Besides adding to the width, it was necessary to give additional solidity to the whole work. We decided, therefore, to place over the old flooring a solid bed of Portland cement concrete 4 feet thick, and to cover this under the arches and downstream, where the action was severest, with a heavy pavement of dressed Trieste stone, and upstream with rubble limestone masonry. A line of sheet piling 16 feet deep was carried across the whole river 85 feet above the bridge. This programme was generally carried out, but where special difficulties were met with, the new flooring often exceeded 6 feet in thickness.

Two great difficulties met us:—

1. All the time we were mending the Barrage we were obliged to be using it. The great head of water held up made it doubly difficult to keep the springs down, to give a dry floor to work on. If we had been building a new work, or if we could have postponed irrigation till the Barrage was ready, our task would have been much easier. It was like mending a watch, and never stopping the works.

2. Our working season was always a very short one. The state of the river flood never allowed us to begin till towards the end of November. The first thing was to inclose the portion to be operated upon by great earthen banks forming a coffer dam all round. These banks had, in one case, to be made in water 50 feet deep. They took always more than two months to make. Then the water inside had to be pumped out. We were lucky if this was finished, and the new work could begin by 1st March. Then it continued without intermission day and night till the end of June, when we had to prepare for another flood. It was clear we could never shut off the whole stream from either branch at the same time, and in one working season we could not repair the whole of either Barrage, so the work divided itself naturally into four seasons, half a Barrage each season.

During our short trial season of 1886, we could only partially repair six bad floorings. Work began in earnest in 1887, when we resolved to complete the western half of the Rosetta Barrage. And this first season was the worst. We had less experience of what was to be done. Our appliances were less complete than afterwards, and this portion of the Barrage was in much worse condition than any other.

On the 2nd December, 1886, the coffer dams were begun. It was not until the 24th March, 1887, that the first stone of the new work was laid. From that day work continued day and night, the night-work being done by the light of electric lamps. Nine powerful steam-pumps kept the water down all this time. On the afternoon of the 1st July the last piece of machinery was removed from the completed floor. Before the next morning the rising flood had covered all that had been done. Every day fresh and unlooked-for difficulties arose. It was found that the massive outer wall of the western lock rested on foundations, the bottom of which was 8 feet higher than the bridge flooring. To dry the latter then we had to work below the lock foundations, and it was with difficulty prevented from falling over bodily. The flooring, as well as the arch of one opening, was cracked across diagonally, showing a complete fracture of the work, the fissure being 4 inches wide. Strong springs burst out daily in fresh places, and had to be staunched at an immense expense of material. Daily Mr. Reid had to face some new trouble, and to invent some new expedient, and he never failed.

In 1888 we attacked the eastern half of the Damietta Barrage, and the work was easier. Mr. Reid began his earthen dams on the 1st December, 1887, and on the 9th March he was able to begin the new work. The condition of this Barrage was much better than that of the other, but this seemed only because it had been less tried. There was the same inferior and careless work. The floorings of some arches were quite unfinished, and if the gates had ever been fitted and pressure brought to bear upon them, there must have been similar disaster. By the 20th June this season's work was finished, and four arches were put in order.

The Nile flood of 1888 being deficient the river fell fast, and on the 2nd November Mr. Reid was able to begin his coffer dams round the eastern half that remained undone of the Rosetta Barrage. It was fortunate he could begin so early, as these dams were placed in water which, for 100 yards, averaged 40 feet deep. This season's work was the easiest and least eventful of all, and was completed in abundant time in June.

In November 1889 began the last season's work, which I had hoped would have been a very easy one, but which has turned out differently. There did not appear to be very much to do. For of the seventy-one arches of the Damietta Barrage forty-one were already finished, and, after much consideration, it was resolved to reduce the whole number to sixty-one by cutting off the ten along with the lock at the west end. This was done chiefly because the unusual flood of 1887 had taught us that more water was discharged through this Barrage than the Damietta branch could well carry off, and there was also considerable economy in not having the stone floor protection and the gates to provide for.

There were only twenty arches then to repair, and the work seemed advancing very fast, when suddenly a powerful spring burst out in the half-repaired floor, and it was found that a rush of water was taking place from the river outside 230 feet distant, and under a portion of the new flooring laid in 1888. This spring throwing up mud and sand soon drowned out the pumps. Mr. Reid promptly breached his coffer dam, and flooded the whole area. The action of the stream had washed out the treacherous soil below the flooring, and a considerable portion had settled as much as 4 feet. Mr. Reid then threw up new banks so as to isolate the unsound parts, and little by little with great precaution and frequent checks he repaired all the mischief.

On the 16th instant he could report that the Barrage below water-line was finished. The upper courses had still to be laid to a fine quay wall built shutting off the ten arches already alluded to, and some of the gates had to be hung.

Besides this, there only remains to spread a broad apron of large heavy stones across the down-stream edge of the work. This can only be done by degrees, and will be finished, I hope, in 1891.

The outlay up to date has been 405,170*l.* The stone apron and other contingencies may bring this amount to 420,000*l.* as the cost of restoring the Barrage, exclusive of the 43,857*l.* spent on the temporary measures of 1884 and 1885.

Of the value of the Barrage improvements to the country it is difficult to speak. Next year and in future if the Nile supply is sufficient, we shall not hesitate to hold up 4 metres or 13 feet at the Barrage. Hitherto, we have limited ourselves to 3 metres or 9 ft. 10 in. During the five years previous to 1885 the market price of cotton was considerably higher than it has been since. The ravages of the cotton worm have been chiefly in the latter five years. Nevertheless, the mean cotton exports for the five years 1880-84 amounted to 2,750,171 kantars per annum, while for the five years ending 1889 they amounted to 3,084,064 kantars. Here is a mean annual difference of 333,893 kantars, which, at the moderate price of P E. 250 per kantar, comes to £ E. 834,732 annual benefit to the country, which I think we may fairly claim to the credit of the Barrage while as yet incomplete. I say nothing of the increase in cotton-seed, rice, or bersim.

It remains to notice two essential series of works which had to be done in connection with the Barrage.

I have said that it was intended by its means to divert the water from the river into three main canals to irrigate all Lower Egypt. Of these three canals, the centre known one as the Rayah Menufieh had been made with the Barrage. It is a very fine work, and irrigates the two central provinces of Menufieh and Gharbieh. But it was nearly useless for navigation, owing to the absence of a head lock. This lock was added by Mr. Reid in 1887 and 1888. It was impossible to close the canal while it was being built, and the foundations were laid with the greatest difficulty. The cost of this lock was 15,222*l.*

The Western or Behera Canal had been dug along with the Barrage, but had been allowed almost to go out of use. It passes through a strip of desert a few miles to the north, and drift sand used to come in in large quantities. It had been so far abandoned that, as I have already said, a contract had been made for irrigating the Behera Province by a system of pumps. This canal has now been dredged, and its head sluices repaired under the direction of Mr. Foster, Inspector of Irrigation. Grasses and willows have been sown along its west bank, sand screens have been erected, and a portion of the desert has been put under irrigation, not so much with the object of raising crops (although that too must come), but in order to deposit a filon of Nile mud upon the drifting sand. The result has been very satisfactory. The sand is now covered with coarse grass, and the drift is much less. It will be necessary to spend 50,000*l.* more on dredging out this canal, and after that I hope we shall be able to dispense altogether with the use of pumps for irrigating Behera.

The canal to irrigate the Eastern Delta, that is, the provinces east of the Damietta branch, had never been made at all. This, which has been called the Tewfiki Canal, was constructed in 1887-89, at a cost of 372,000*l.*, and was opened by His Highness the Khedive on the 11th February last. The head lock and sluices were especially difficult, being built on the most treacherous soil. They were founded according to a common Indian custom on 134 brick cylinders or four-sided blocks, sunk 18 feet below the canal bed and filled with concrete. The cost of this work was 51,664*l.*, and is included in the 372,000*l.* mentioned above. The benefits of the Tewfiki Canal are already very great, and it is opening up much internal navigation.

The other work to be noticed in connection with the Barrage is the river training. This, I found, had been seriously neglected when I arrived in Egypt in 1883.

In 1883 the whole river was passing down the channel *A B C*, and it was striking with such force at *B*, that the line of railway was cut in three places during the floods of 1883. Had the river been left untrained, I believe in two years the left flank of the Rosetta Barrage would have been turned; the whole river would have gone down that branch, and the barrage would have been left high and dry. Massive stone groynes were built in the water, trees were anchored down, and little by little the whole river was moved into its present position. The channel *A D E* now carries nearly half the river, and the spurs about *B* where the water was 40 feet deep are now inland and surrounded by crops. We have sufficiently obtained our object of bringing the Nile straight on to the barrage; but this river training must go on year after year. The most serious results will follow if it is neglected.

The credit of restoring the barrage belongs, in the first place, to Mr. William Willcocks, who showed the greatest courage and ability in dealing with a work known by us all to be unsound and universally condemned. Unsound as it was, he made it do good work in 1884 and 1885 with comparatively small resources.

After him the permanent repairs and completion of the work are due to Lieutenant-Colonel J. H. Western and Mr. A. G. W. Reid, both of whom have well earned the Companionship of St. Michael and St. George, bestowed on them by Her Majesty. I do not think either could have done the work without the other. Colonel Western worked out the calculations of forces and weights, of hydraulic pressure, and the actions of semi-fluids, without which nothing was done. Mr. Reid was always on the spot, never sparing himself day and night (and the days were often excessively hot). He showed surprising fertility of resources in meeting new difficulties as they occurred. He was loyally seconded by an excellent staff of Engineers and subordinates.

Colonel Western's health broke down in 1889, and in February 1890 he left the Egyptian service. Mr. Reid has had the satisfaction of directing the work from beginning to end. He now returns to duty in India after five years' hard duty in Egypt.

(Signed) COLIN SCOTT MONCRIEFF,
Under-Secretary of State, Public Works Department.

June 24, 1890.

No. 102.

Sir E. Baring to the Marquis of Salisbury.—(Received July 9.)

My Lord, *Cairo, June* 28, 1890.

A SHORT time ago I asked Surgeon-Major Rogers, the Principal Medical Officer of the Egyptian army, to write for me a short account of the reforms which had been effected since the British occupation in the organization of the Recruiting Department. I have now the honour to inclose a copy of the Memorandum which Surgeon-Major Rogers has communicated to me. It speaks for itself. In no branch of the administration was corruption formerly more universal than in the Recruiting Department. I fully agree with Surgeon-Major Rogers' final remarks to the effect that in this, as in other Departments, if English supervision were withdrawn, the country would rapidly revert to the condition in which it was found in 1882.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 102.

Memorandum by Surgeon-Major Rogers.

LOOKING back to the early days of the Egyptian army in 1883, and comparing them with the present time, nothing is more remarkable than the results of English influence in purifying official administration, and English supervision in checking the fraud and corruption which would appear to have pervaded most Departments of the State.

That "backsheesh" was a ruling power in the country was continually being brought home to me when I first took up my appointment as Principal Medical Officer of the army.

Rumours, which I at first believed to be exaggerated, reached me of large sums being amassed in my office. I even heard that in time of conscription the ordinary "backsheesh" amounted to about 1,500*l.* a-month. Whether this was so or not it is now difficult to determine; proof in such cases is always wanting, of its possibility there can be no doubt.

It must be borne in mind that up to 1885 the system of "badaliyeh" (purchase of discharge from military service) did not exist. The conscript who, by legal or illegal means, had failed to obtain exemption in his village, once called up for service had but

one channel of escape, viz., a certificate of medical unfitness. Thus in the Principal Medical Officer of the army was vested an enormous power in deciding on such cases.

That bribery was thoroughly recognized as a more or less legitimate means of influencing official decisions was shown by the open manner in which the bribe was offered.

In 1883 the son of a rich man in the Province of Gharbiyeh was called up for service. His father offered the officer at the head of recruiting £ E. 2,000 if his exemption could be arranged.

In the end of 1883 and beginning of 1884 the conscripts of 1880 were being called up for service. In those days it was a common occurrence to find on my office table a small brown paper parcel with a name written on it; on opening the parcel it was found to contain a sum of money in gold varying from 5*l.* to 30*l.* An Egyptian officer was attached to my office. On more than one occasion when a case had to be decided by me, the relatives of the conscript went to the house of this officer to interest him in the case; on leaving they would slip into his hand or throw at his feet a small parcel, saying, "This is not a bribe; it is only a packet of sweetmeats for the Principal Medical Officer." Needless to say the sweetmeats were invariably sums of money.

What was most remarkable was the fact that this bribe was paid without any promise that the conscript would be rejected. It was a system of casting their bread on the waters, with a certainty from long experience of finding it before many days. Some strange code of honour must have existed which ruled that value was to be given for the bribe offered; but that the bribe was always paid in advance without any distinct promise being exacted occurred in every case brought to my notice.

In 1884, when large batches of conscripts, 200 or 300, were being daily examined by me, a clever system of fraud was devised by three or four officials, officers and clerks. Some central office existed where all conscripts, on their arrival in Cairo and before their examination, arranged to pay a tariff of about £ E. 1 to £ E. 2 a-head; they were informed that it would be impossible that they should all be exempted, but that a certain portion of them would be. The fee of those exempted to be retained, of those selected for service to be returned. As about 40 per cent. were rejected on medical grounds, the transaction was a profitable one. I believe the bargain was rigidly observed, and the money returned to those selected for service, otherwise complaints would certainly have arisen. After a time I had information that this system was being carried on, but proof positive it was impossible to obtain; when, however, I made it known that I was aware of what was going on, the practice stopped. This system was specially for the poorer classes who could only pay small sums.

Even in such minor matters as a change of station the influence of "backsheesh" was brought to bear. In 1885 a squadron of cavalry was ordered to Suakin; one of the men paid the medical officer the large sum of 2 dollars on condition that he should be allowed to report sick the day the squadron was to start, and be detained twenty-four hours in hospital. The plan succeeded, but unfortunately the man boasted afterwards of his success in the presence of two or three witnesses. The officer was placed under arrest, but, on a Court of Inquiry being held, the man absolutely denied the whole occurrence, and the evidence was not sufficiently conclusive to try the officer by court-martial. As, however, there was distinct evidence of the man's statement, he was tried, punished for making a false statement against an officer, and took his punishment; though the fact that he had given the bribe was well known. The unwritten code which regulated the system of "backsheesh" prohibited his saving himself by implicating the officer.

In the cases of bribes placed on my table, I had the men in, reasoned with them, pointed out that the system had passed away, but that I did not blame them for following a recognized custom, and then handed them back the money before investigating the case in their presence. As a rule, they steadily denied ever having offered the bribe, and refused to receive the money until threatened with imprisonment, when they confessed. The case was then proceeded with: if the conscript was accepted, they probably thought that the bribe had not been large enough; but if rejected, an astonished look came over their faces that any one could be such a fool as to refuse a bribe, and yet confer the favour for which it had been offered.

A marked change was not long in coming about. Offers of bribes in my office, from being common, became more and more scarce, and entirely ceased at the end of 1884.

My personal experience leads me to believe that the estimated amount of 1,500*l.* per month as the "backsheesh" of my office was considerably under rather than over

the mark of what could be made by a dishonest official during the time conscripts were being called up.

When it is considered that in one year the "badaliyeh" brought in over 200,000*l.*, it can readily be recognized how large an amount might drift into the pockets of an official who had unlimited powers in pronouncing on the fitness or unfitness of conscripts for army service.

To give even a brief sketch of the admirable results of English supervision of Egyptian official work would be to write a history of the frauds attending the application of the Law of Conscription in a country in which official life was notoriously corrupt. The presence of an English medical officer on a Revising Recruiting Commission in 1885 first thoroughly exposed the frauds which existed. It was not, however, until 1888 that the appointment of two English medical officers as Inspecting Officers of Recruiting in the provinces enabled a systematic supervision to be exercised over the military and medical work of Recruiting Commissions, and, indirectly, over much of the civil work of the Mudirieh authorities, in so far as it was connected with the administration of the Conscription Law. The intimate knowledge of the practical working of the Law obtained by these officers on the spot has enabled changes of the greatest importance to be made in the Law itself. Inseparably connected, however, with the just application of the Law of Conscription is an accurate system of registration in the villages. The present village registers are so inaccurately kept as to be practically useless, and will remain so until a fresh and carefully controlled census of the population be taken, and the village registers compiled accordingly.

The non-registration of births, and the consequent inaccuracy of the village registers, were what most struck the Inspecting Officers of Recruiting, but even here they have made their influence felt. In some villages as many as 300 children would be found who never had been registered; while in one "markiz" (district) of the Province of Sharkieh the Recruiting Commission had to determine the age of 1,519 children not entered in the registers.

The causes of non-registration were twofold:—

1. That non-registration of boys enables the boy when grown up to avoid military service.

2. The custom of the civil official of extracting "backsheesh" for any certificate either of birth or death.

The former needs no comment. Of the latter, such facts as the following are not uncommon examples:—

In 1887, in the Mudirieh of Sharkieh, a child died suddenly one night; the civil doctor refused to give the certificate, without which the child could not be buried, until the father paid him 2*l.*

In Gharbieh a man died, a camel having bitten him severely about the head. The civil doctor demanded 6*l.* for the certificate of death, and the man remained unburied several days until the sum was paid.

That such facts as these are brought to the notice of the Inspecting Officers of Recruiting shows that they have gained the confidence of the people, who in turn are beginning to have faith in English justice.

One of the Inspecting Officers writes as follows:—

"Men unfit should be told so by the Inspector himself, as if left to the Mudirieh clerks to tell them they are never allowed to go back to their villages before a substantial fee has been paid to these officials."

There is no doubt but that the civil officials in the provinces are still very corrupt; no certificates are given without a certain amount of "backsheesh" being paid. A man wishes to purchase his discharge by paying the "badaliyeh;" the local Recruiting Commission issues to him the certificate of discharge on his producing a receipt that he has paid the amount to the civil authorities; the Mudirieh clerks will not give this receipt without "backsheesh," and, as it is in their power to keep a man hanging about the Mudirieh for two or three weeks, he thinks it cheaper to submit to the extortion and say nothing.

Until the system of English inspection, which has produced such good results in the Irrigation and War Departments, be introduced in the Ministry of the Interior, no control can be established over the corruption which now so largely exists in the provinces.

In connection with registration and the value of systematic English inspection, there cannot be a better example than a recent case in the Province of Benisouef.

The English Inspecting Officer had reason to believe that there must be a large number of adults and children who had not been registered on a certain "esbeh" (farm)

belonging to a wealthy Egyptian. The Sheikh who was responsible had certified that there was no one in the village on the farm liable to conscription or non-registered; the Recruiting Commission accepted the fact without investigation. The Inspecting Officer, with a force of police and watchmen, surrounded the village at night; in the morning over 400 were found unregistered, and the Sheikh will be tried by court-martial. The result, further, has been that several neighbouring Sheikhs have been bringing in the names of men hitherto not registered.

To the English Inspecting Officer is given full power of inspection of all work of the Recruiting Commissions, military or medical. If he has reason to believe that fraud is being committed, he can call up a whole village and see if the decision of the Commission has been just or not. Cases of Petitions on various recruiting questions are decided by him locally. In the town of Damanhour eighty-three Petitions were decided in one visit of a few days. Ages of parents, fitness or otherwise to earn their livelihood, and other questions too numerous to mention are all disposed of by him, subject to appeal to the Principal Medical Officer of the army at head-quarters.

The wisdom of making such appointments has been fully borne out by the results. Not only has the work of the Commissions been expedited, but the certainty of European inspection at unknown intervals has largely reduced the fraud which is inseparably connected with the working of a Conscription Law in a country like Egypt, where the village is the unit, and the uneducated Sheikh or Sarraf the responsible but corrupt official.

The "fellaheen" population are quick to learn that the decision of the Egyptian officials is not final, but that they have English Inspectors to whom they can appeal on the spot, and in the justice of whose decision they would appear to be rapidly gaining faith. This is shown by the fact that the Inspectors are not uncommonly approached with complaints on other subjects than recruiting questions.

An experience now of some years has convinced me that it is only by a careful system of English supervision and inspection that Egyptian official work, whether military or civil, can be controlled and turned to the best advantage. Take away this supervision, and the country would rapidly revert to the condition in which it was found in 1882.

(Signed) J. G. ROGERS.

June 28, 1890.

No. 103.

Sir E. Baring to the Marquis of Salisbury.—(Received July 9.)

My Lord, *Cairo, June* 29, 1890.

IN connection with the inclosed letter which I have received from the Egyptian Minister for Foreign Affairs, I have the honour to submit the following observations.

A considerable number of claims have been made against the Egyptian Government for compensation, arising out of losses occasioned by the events which have taken place during the last few years in the Soudan. These claims, as will be seen from the inclosures to this despatch, amount altogether to 996,000*l.*, of which 657,000*l.* have been advanced by Europeans, and 330,000*l.* by natives. As usually happens in cases of this sort, the claims are largely in excess of the amount which would probably be adjudged by the Law Courts, supposing each separate case to form the subject of litigation.

From the "État Récapitulatif," inclosed in this despatch, your Lordship will observe that the total sum of 996,000*l.* is classified as follows:—

	£
Money advanced	186,978
Bons Gordon	30,574
Indirect losses	778,508
Total	996,060

It is, I believe, almost certain that the Law Courts would reject the whole, or almost the whole of the sum which figures under the head of "indirect losses;" but a certain number of claims against the Egyptian Government would probably be made good.

Under these circumstances, and looking both to the long time which would ensue before all the cases could be decided by the Law Courts, and the doubtful nature of

the final result in each case, it was both to the interest of the Egyptian Government and the claimant to endeavour to effect some compromise.

Lengthy negotiations have taken place between the Egyptian authorities and the Representatives of Greece, France, Russia, and Italy, whose subjects are principally interested.

The result which has been arrived at after much difficulty is embodied in the inclosed Decree. The Egyptian Government is to pay 122,000*l.* for compensation in full. The distribution of this sum amongst the various claimants is to be made by a Special Commission.

I proceed to explain how this amount is to be found.

When the Law of Liquidation was passed a certain sum of money was set aside to provide for any judgments which might be given by the Mixed Courts against the Egyptian Government in issues still pending. A few of these cases are still unsettled, but it is certain that the Liquidation Fund, which is held in trust by the Commissioners of the Debt, will be more than sufficient to meet all the claims which can be brought against it. It is preferred to take 122,000*l.* of this fund, and to devote it to the settlement of the Soudan claims. The Commissioners are prepared to agree, but the arrangement in this, and in other respects, requires the assent of the Powers.

Greece, which is the Power most interested, has formally adhered to the Decree. The assent of France, Italy, and Russia is, I understand, practically secured. The adhesion of Her Majesty's Government is now requested.

I venture to recommend that it should be given. Only two British subjects have any claims. One is Boutros Serkis. He is a Copt, who by reason of being British Consular Agent at Assouan figures as a British subject. His claim amounts to 6,500*l.*, of which 1,500*l.* is for indirect losses. The other is a Maltese Company, Onorato Mussa and Co., whose claim amounts to about 10,000*l.*, all of which is for indirect losses. I do not profess to have gone into the detail of either of these claims. The claims for indirect losses would, as I have already mentioned, be probably rejected by the Law Courts. For the rest, the English claims will be treated on the same footing as those of other nationalities, and I should not hesitate in a matter of this sort to accept an arrangement which commends itself to the Greek and French Representatives. I feel confident, therefore, that no injustice will be done to the British claimants. Under these circumstances I venture to recommend to your Lordship that Her Majesty's Government should signify their assent to the proposed Decree.

I should add that I have taken no part in these negotiations, although I have been from time to time informed of what was going on. I have not thought it necessary to communicate with your Lordship on the subject up to the present time, as I felt that for the purposes of the present argument the interests of the two British subjects concerned were quite safe in the hands of the Representatives of other nationalities.

I have, &c.

(Signed) E. BARING.

Inclosure 1 in No. 103.

Zoulfikar Pasha to Sir E. Baring.

M. le Ministre, *Caire, le* 29 *Juin,* 1890.

PLUSIEURS de vos collègues ont bien voulu attirer l'attention du Gouvernement de Son Altesse sur l'intérêt qu'il y aurait pour les personnes ayant présenté des réclamations se rattachant aux événements du Soudan, à obtenir un prompt règlement de leurs affaires sans subir les retards inhérents à toute procédure judiciaire, et sur l'avantage qu'il y aurait pour le Gouvernement lui-même, afin de limiter sa responsabilité, à fixer une somme dont la répartition serait faite aux intéressés par une Commission Spéciale.

S'inspirant de cet ordre d'idées le Gouvernement de Son Altesse a préparé un projet de Décret dont j'ai l'honneur de vous remettre ci-joint copie avec deux Annexes.

Je me permettrai de vous faire remarquer, M. le Ministre, que le nombre de vos administrés ayant présenté des réclamations de ce genre est relativement restreint, je crois aussi devoir attirer votre attention sur le fait que le projet le Décret dessaisit les Tribunaux ordinaires pour confier l'examen de ces réclamations à une Commission Spéciale qui aura également à répartir entre les divers ayants droit la somme affectée par le Gouvernement à la liquidation des affaires du Soudan.

Je dois aussi vous faire remarquer, M. le Ministre, que d'après l'Article 5 du dit

projet la somme de £ E. 122,251 doit être en partie prélevée sur les fonds de la liquidation. La Commission de la Caisse de la Dette, à qui le Gouvernement avait demandé son avis, a répondu qu'elle ne voyait aucun inconvénient à ce prélèvement.

Je viens donc recourir à votre obligeance, M. le Ministre, et vous prie de vouloir bien soumettre ce Décret au Gouvernement de Sa Majesté et solliciter d'urgence son approbation.

Veuillez, &c.
Le Ministre des Affaires Étrangères,
(Signé) ZOULFIKAR.

(Translation.)

M. le Ministre, *Cairo, June* 29, 1890.

SEVERAL of your colleagues have been good enough to call the attention of His Highness' Government to the advantages that would accrue to persons having claims arising from events in the Soudan if they could obtain a prompt settlement of their affairs, without experiencing the delay attaching to every judicial proceeding, and to the advantage the Government would itself derive as regards limiting its liability, from fixing a sum of money, which should be distributed to the interested parties by a Special Commission.

Acting upon this suggestion, His Highness' Government have prepared a draft Decree, of which I have the honour to transmit herewith a copy, together with two Annexes.

I beg to draw your attention, M. le Ministre, to the fact, that the number of your countrymen having claims of this kind is relatively small; and I should also point out to you that the draft Decree withdraws the examination of these claims from the jurisdiction of the ordinary Tribunals, and intrusts it to a Special Commission, which will also have to divide amongst those whose claims have been allowed the sum appropriated by the Government to the liquidation of the affairs of the Soudan.

I must also point out to you, M. le Ministre, that, according to Article 5 of the said draft Decree, the sum of £ E. 122,251 must be in part raised from the liquidation funds. The Commission of the Caisse of Public Debt, whose opinion the Government asked, has replied that there is no objection to this course.

I have recourse, therefore, M. le Ministre, to your good offices, and beg that you will submit this Decree to Her Majesty's Government, and urgently invite their assent.

I have, &c.
The Minister for Foreign Affairs,
(Signed) ZOULFIKAR.

Inclosure 2 in No. 103.

Draft Decree.

NOUS, Khédive d'Égypte,

Vu nos Décrets des 8 Août et 10 Novembre, 1888, déclarant irrecevable, à partir du 1er Janvier, 1889, toute réclamation contre le Gouvernement relative au Soudan;

Vu le Règlement d'Organisation Judiciaire pour les procès mixtes;

Vu notre Décret du 9 Chaban, 1300 (14 Juin, 1883), portant réorganisation des Tribunaux Indigenès;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres et avec l'assentiment des Puissances,

Décrétons:

Article 1er. Les Tribunaux Mixtes et Indigènes ne connaîtront pas des réclamations portées sur la liste (A) annexée au présent Décret ni de toutes autres réclamations se rattachant aux événements insurrectionnels du Soudan.

Art. 2. Une Commission Spéciale composée de: MM. le Baron Richthofen, le Comte Faluski, G. le Chevalier, A. Money, N. Diomedes, G. B. Morana, Le Prince, A. Mourousi, Ch. de Rocca-Serra, est exclusivement compétente pour statuer souverainement *ex æquo et bono* sur les réclamations portées sur la dite liste (A) et sur celles relatives aux événements insurrectionnels du Soudan qui pourraient y avoir

été omises sous la réserve formelle de l'application des Décrets des 8 Août et 10 Novembre, 1888.

Art. 3. La Commission ne sera valablement constituée que si cinq au moins de ses membres sont présents; elle statuera dans tous les cas à la majorité absolue des voix.

Art. 4. La Commission déterminera elle-même, s'il y a lieu, la procédure à suivre; elle pourra s'adjoindre dans ses travaux les personnes dont le concours lui paraîtra utile.

Art. 5. Une somme de £E. 122,251 fixée à forfait est affectée au paiement du montant des réclamations.

Cette somme sera prélevée :—

1. Sur le reliquat de l'Emprunt Garanti affecté à la liquidation du déficit de 1884 et s'élevant à £E. 50,222.

2. Pour le surplus sur l'actif de la liquidation.

Art. 6. Seront payées intégralement les condamnations résultant de décisions judiciaires passées en force de chose jugée ainsi que toutes les autres sommes reconnues par le Gouvernement et portées sur la liste (B) annexée au présent Décret et formant un total de £E. 22,251.

Seront remboursées au Gouvernement : toutes les sommes qu'il aura payées antérieurement à la promulgation du présent Décret en exécution de Jugements définitifs, sommes qui, d'ailleurs, contribuent à former le total de la dite liste (B).

Art. 7. Le reliquat de la somme de £E. 122,251 sera distribué par la Commission au prorata du montant des sommes allouées par elle, autres que celles mentionnées à l'Article précédent sur les réclamations qu'elle aura admises en totalité ou en partie.

Art. 8. Moyennant la mise à la disposition de la Commission instituée par l'Article 2 de la somme de £E. 122,251, le Gouvernement est et demeure entièrement et définitivement libéré pour toutes les réclamations prévues à l'Article 1er, sans pouvoir jamais être recherché pour quelque cause et sous quelque prétexte que ce soit.

Art. 9. Nos Ministres de la Justice et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

(Translation.)

WE, Khedive of Egypt,

Considering our Decrees of the 8th August and 10th November, 1888, declaring all claims against the Government relative to the Soudan inadmissible after the 1st January, 1889;

Considering the Regulations for Judicial Organization in the case of mixed trials;

Considering our Decree of 9 Chaban, 1300 (14th June, 1883), reorganizing Native Tribunals;

On the proposal of our Minister of Justice, agreed to by our Council of Ministers, and with the assent of the Powers,

Decree:

Article 1. The Mixed and Native Tribunals will not take cognizance of claims set forth on the list (A) annexed to the present Decree, nor of any other claims arising out of the insurrection in the Soudan.

Art. 2. A Special Commission composed of Baron Richthofen, Count Faluski, G. le Chevalier, A. Money, M. Diomedes, G. B. Morana, Prince A. Mourousi, Ch. de Rocca-Serra is exclusively competent to decide absolutely *ex æquo et bono* on the claims set forth on the said list (A), and on those relative to the insurrections in the Soudan which may have been omitted under the formal reservation of the application of the Decrees of the 8th August and 10th November, 1888.

Art. 3. The Commission will only be validly constituted, if at least five of its members are present, and an absolute majority of votes will decide.

Art. 4. The Commission will itself determine, if necessary, the procedure to be followed, and may associate with itself in its labours persons whose help it may think useful.

Art. 5. A sum not exceeding £E. 122,251 is assigned to the payment of the claims.

This sum shall be levied :—

1. From the balance of the Guaranteed Loan assigned to the liquidation of the deficit of 1884, and amounting to £E. 50,222.

2. For the surplus, from the proceeds of the liquidation funds.

Art. 6. The costs resulting from the past judicial decisions will be paid in full, on the strength of the Judgment, as well as all other sums recognized by the Government and set forth on the list (B) annexed to the present Decree, and amounting to a total of £ E. 22,251.

All the sums paid before the promulgation of the present Decree, in execution of definitive sentences, which sums moreover contribute to make up the total of the said list (B), shall be repaid to the Government.

Art. 7. The balance of the sum of £ E. 122,251 shall be distributed by the Commission in proportion to the total of the sums allotted by it, other than those mentioned in the preceding Article on the claims which are entirely or partially admitted.

Art. 8. The Government is and remains entirely and definitively free from all claims mentioned in Article 1, in consideration that the sum of £ E. 122,251 has been placed at the disposal of the Commission instituted by Article 2; nor can any claims for any cause, or on any pretext whatever, be hereafter advanced against them.

Art. 9. Our Ministers of Justice and Finance are charged, so far as each is concerned, with the execution of the present Decree.

No. 104.

Mr. Portal to the Marquis of Salisbury.—(Received July 9.)

My Lord, *Cairo, June* 30, 1890.

I HAVE the honour to inclose herewith copies of three Khedivial Decrees* relative to the importation and cultivation of tobacco and tombac, which were published in the "Journal Officiel" of the 28th.

The first of these Decrees raises the import duty levied on foreign tobacco from 14 piastres to 20 piastres the kilogramme.

By the second Decree the importation of tombac is made a State monopoly, which may be conceded by the Minister of Finance to a private individual; and the third Decree absolutely prohibits all cultivation of tobacco or tombac in Egypt under penalty of very heavy fine and confiscation of the crop.

The reasons for these new measures are fully and clearly given in a Report addressed by Riaz Pasha to the Khedive.

The increased duty on imported tobacco is to be levied on and after the 1st July of this year. That the issue of this Decree had been decided has of course been known for some time to merchants and others interested in the tobacco trade in Egypt, with the natural result that quite lately enormous quantities of tobacco have been brought into the country and are being cleared out of the Custom-houses as fast as possible, in order to get every benefit from the last few days of the lighter duty. The immediate result of this will be that the Customs receipts for this month will be very largely increased, and that a considerable sum will be placed to the credit of the Government; but at the same time it must be remembered that for many months after the increased duty comes into force the tobacco revenue will fall very considerably; in fact it may be expected that for the rest of this year, at all events, the tobacco duty will produce no revenue at all.

I have, &c.
(Signed) G. H. PORTAL.

No. 105.

The Marquis of Salisbury to Mr. Portal.

Sir, *Foreign Office, July* 11, 1890.

I HAVE received Sir E. Baring's despatch of the 29th ultimo, and, in accordance with his recommendation, I have to state that you are authorized to notify the assent of Her Majesty's Government to the issue of the Decree for the settlement of certain claims against the Egyptian Government arising out of events which have taken place during the last few years in the Soudan.

I am, &c.
(Signed) SALISBURY.

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* Not printed.

No. 106.

The Marquis of Salisbury to Mr. Portal.

Sir, *Foreign Office, July* 14, 1890.

I HAVE received Sir E. Baring's despatch of the 27th ultimo, forwarding a Report by Colonel Sir C. Scott Moncrieff on the completion of the works at the barrages at the head of the Nile Delta.

I have read this account with much interest.

The greatest credit is due to Sir Colin Moncrieff and the officers who served under him for the success with which a work of such magnitude has been carried out, and I much regret that Colonel Western's health should have suffered from his devotion to the duties of his post.

Copies of Sir C. Moncrieff's Report and of this despatch will be forwarded to Her Majesty's Secretary of State for India.

I am, &c.
(Signed) SALISBURY.

No. 107.

Mr. Portal to the Marquis of Salisbury.—(Received July 16.)

My Lord, *Cairo, July* 4, 1890.

I HAVE the honour to transmit herewith two copies of the Annual Report presented by the Commissioners of the Domains Administration to His Highness the Khedive,* containing the final accounts for the year 1888, and the provisional accounts for the year 1889.

As regards the accounts for 1888, your Lordship will observe that the deficit amounted to £ E. 93,307.

The Budget estimate for the total deficit of the year 1889 amounted to £ E. 162,507, whilst the accounts show a deficit of £ E. 116,811 only, being £ E. 45,696 less than the estimate. This result is mainly due to economies which have been effected in the expenses of the administration.

I have, &c.
(Signed) G. H. PORTAL.

No. 108.

Mr. Portal to the Marquis of Salisbury.—(Received July 16.)

My Lord, *Cairo, July* 8, 1890.

I HAVE the honour to inclose herewith an extract from the "Egyptian Gazette," showing the total area under cotton cultivation in Egypt this year, which amounts to 770,423 feddans in Lower and 855,479 feddans in Upper Egypt; this exceeds the amount of cotton planted last year by 2,650 feddans. The rise of the Nile is, up to the present, progressing favourably, and gives reason to hope for a good supply of water; but it is to be feared that considerable loss will be caused this year by the cotton worm, which has attacked the crops in several parts of the country.

I have, &c.
(Signed) G. H. PORTAL.

Inclosure in No. 108.

Extract from the "Egyptian Gazette" of July 7, 1890.

AT the head of this page we publish the statistics of the land under cotton cultivation this year, which the Government of His Highness has been graciously pleased to place at our disposal.

From these Returns it will be seen that the area under cotton cultivation this year is 2,650 feddans more than the area planted with cotton last year.

* Not printed.

The favourable progress of the Nile flood has nearly removed any anxiety that may have been felt as to the sufficiency of the water supply in the early part of next month, and the Fayoom Province continues to remain free of the cotton worm. The cotton plants are in good condition, and the first cotton of the new crop may be expected to arrive at Alexandria from the Fayoom in the first week of next month.

With reference to the cotton worm, our Ziftah correspondent writes:—

"After two years of sickly existence the insect came out again, in many places, with renewed vigour; indeed, in several plantations, especially the more promising, the amount of eggs laid by the moth is so overwhelming that all hands available have proved quite insufficient to destroy them.

"Alarming as this really is, it is still sadder to think of the chronic indolence with which most native farmers, even some of the more intelligent, have been watching helplessly the wrecking of their prospects by the worm.

"With these people, as their sluggish nature cannot be shaken out of them, advice is evidently useless. To make up for past losses due to the ravages of the insect, they simply overworked their lands, hoping for larger crops, only with negative results.

"Meanwhile, village usurers and land grabbers have had it all their own way, and the more active among the fellaheen have had to suffer owing to the foolish supineness of their neighbours."

No. 109.

Mr. Portal to the Marquis of Salisbury.—(*Received July* 16.)

My Lord, *Cairo, July* 9, 1890.

IN continuation of my despatch of the 30th ultimo, bringing to your Lordship's notice the large importation of tobacco which took place at the end of last month, in order to avoid the higher duty which came into force on the 1st instant, I have the honour to report that the amount taken at the Custom-house as duty on tobacco for the first six months of the current year was approximately 1,200,000*l.*

The Budget estimate for the year was 520,000*l.* Such enormous quantities of tobacco were imported in June in anticipation of the higher rate of duty, that we cannot expect any revenue from this source till about next July, so that it will be necessary to carry over at least 500,000*l.* into next year's account. This will leave 180,000*l.* to be disposed of, from which, if the French Government assent to its being added to the Administrative Budget, 150,000*l.* may be taken in lieu of the tax of P. T. 3 per feddan for the abolition of the corvée.

I have, &c.
(Signed) G. H. PORTAL.

No. 110.

Mr. Portal to the Marquis of Salisbury.—(*Received July* 30.)

My Lord, *Cairo, July* 18, 1890.

I HAVE the honour to inclose herewith, for your Lordship's information, copy of a Report addressed by Mr. Dunlop, the Inspector of Schools under the Egyptian Government, on the subject of a recent examination for prizes given by two or three gentlemen for proficiency in the English language. The result of the examination was, I am given to understand, eminently satisfactory. Since the introduction into this country of a few English teachers, great progress has been made both in the numbers and in the proficiency of the boys who learn the English language. Very much, however, still remains to be done.

Mr. Dunlop informs me that, when they have the opportunity, the boys show great anxiety to learn English, as well as remarkable aptitude in doing so. It is therefore to be hoped that by increasing the number of English teachers, both in the primary and in the more advanced schools, additional opportunities may be given to the rising Egyptian generation to make themselves familiar with the language.

I have, &c.
(Signed) G. H. PORTAL.

Inclosure in No. 110.

Mr. Dunlop to Aly Pasha Moubarek.

Excellency, *Cairo, July* 12, 1890.

I HAVE the honour to submit a Report of the examination on the 3rd instant and following days for the three prizes offered by Mr. Palmer, Colonel Sir C. S. Moncrieff, and Mr. Milner.

In accordance with the published terms of the competition, the first and second prizes (6*l.* and 4*l.*) were open to Egyptian pupils attending any of the higher grade schools of the Egyptian Government, while the third prize (3*l.*) was open to Egyptian pupils attending any of the preparatory schools. The examiners were Mr. Van Dyck, Mr. Blackmore, and myself, and the subjects of examination included reading, recitation, grammar (parsing, analysis, and derivation), dictation, composition, and translation. Good handwriting is an accomplishment at once so difficult and so important that out of the total 100 marks five were allowed for English caligraphy. Candidates were required to produce a certificate of good conduct from the head-master of the school at which they were in attendance, a condition which excluded from the competition three intending and otherwise well-qualified candidates. This requirement of a certificate of good conduct—a new feature also in this year's examination for the secondary education certificate—has proved itself a most valuable aid to the maintenance of discipline in the schools.

There could be no clearer or more gratifying evidence of the deep and wide-spread interest created by the offer of these prizes than the fact that, in present circumstances, so many as 97 pupils in attendance at the Government schools sent in their names as intending competitors. Out of the 97, however, only 66 presented themselves for examination. In the case of the 31 who failed to put in an appearance, the desire to compete, rather than the ability to compete, must explain the fact of their having sent in their names.

Out of the 66 who did present themselves for examination, 28 were candidates from the higher grade schools (viz., 15 from the Khedivieh Training College, 10 from the Polytechnic School, and 3 from the School of Medicine), while the remaining 38 came from the Khedivieh Preparatory School, the only preparatory school that sent up any pupils for examination. It is noteworthy that of these 38 preparatory candidates only 14 came from the class of the fourth (or final) preparatory year, while the remaining 24 preparatory candidates belonged to the classes of the third and second years. So unusual a feature as that of pupils of the second and third years competing with their seniors of the fourth year may be accounted for by the very great disadvantages under which the pupils of the fourth year had been studying English previously to the present session. A striking proof of the fourth year's comparative backwardness in this language, owing to inadequate grounding, is afforded by the fact that the two preparatory candidates who stand highest in the list are pupils of the third and not of the fourth year.

Accompanying this Report are lists of the marks gained by all the candidates, the questions and exercises set at the examination, and also the examination papers of the five candidates standing highest in the list of the "higher grade" pupils, and of the four candidates standing highest in the list of "preparatory" pupils. The exercises in dictation, translation, and composition were of very considerable difficulty, and were all chosen from books which were quite unknown to any of the candidates, and the questions in grammar were so exhaustive that they might have served as a severe enough test for lads speaking English as their mother-tongue. A short passage of prose selected by the examiner served as the test exercise in reading; for recitation 100 lines from Shakespeare's "Julius Cæsar" were professed by most of the "higher grade" candidates. Candidates from the "preparatory" classes were exempted from examination in composition and from some of the questions in grammar set for the higher grade candidates, but all the other written work was done by the "preparatory" and "higher grade" candidates in common.

The evident anxiety of all the candidates to do their best, the zeal, honesty, and thoroughness manifested throughout the entire course of this examination, deserve the highest praise. The results obtained are, in my opinion, extremely creditable; some of the examination papers showing a remarkably high degree of proficiency. Among the "higher grade" candidates so many as fourteen have gained over 70 per cent. of the marks attainable, while five out of the fourteen have gained over 80 per cent. Among the "preparatory" candidates three have gained over 70 per cent. and one of

them has obtained 80 per cent. The following candidates, having gained over 75 per cent. of the marks attainable, are well worthy of honourable mention:—

Name.	Age.	School.	Marks.
1. Aly Omar	20	Khedivieh Training College ..	84½
2. Abd-el-Mahsood Fahmy	18	Ditto	84
3. Ahmed Barradeh	18	Ditto	82
4. Mahmood Ismaïl	20	Ditto	81½
5. Dimitri Attia	18	Ditto	80½
6. Abco Laid Faid	18	Ditto	79½
7. Mahmood Kasem	18	Ditto	79
8. Ibrahim Abd-el-Said	21	School of Medicine	78½
9. Mahmood Yoosef	18	Khedivieh Training College ..	77
Preparatory Candidates.			
1. Salih Aly	15	Khedivieh Preparatory School ..	80
2. Moh. Hassan-el-Guindy	15	Ditto	78

In order that those candidates may get full credit for the high quality of their work and for their enthusiastic diligence in the study of English, I should explain that, in addition to the examination having been a long and hard one, the standard of marking adopted by the examiners was the same as it would have been had the examination been held in England, and was not modified so as to allow for the fact of all the candidates being native-born Egyptians. The dictation exercise, for example, of Aly Omar, the candidate standing highest in the list, could hardly have been done better by an Englishman. Results of such conspicuous excellence in linguistic study establish the fact beyond doubt or question that the schools of the Egyptian Government may challenge comparison with schools in European countries in so far as concerns the teaching of a foreign language. From the results obtained it may, I think, be fairly inferred that in the higher grade schools of the Egyptian Government there may already be found pupils well qualified to reap full benefit from advanced teaching in engineering, medicine, &c., from lecturers making English their medium of instruction.

I would avail myself of this opportunity to give renewed expression to the pleasure afforded to the candidates and to the examiners by the presence of your Excellency at this examination; and, further, to make a most grateful acknowledgment of the quickened impulse given to the study of English by the competition for the prizes—prizes specially welcome to the pupils as a tangible proof of the kind interest taken in their work and welfare by the donors.

I have, &c.

(Signed) DOUGLAS DUNLOP,
Inspector of Schools.

COMMERCIAL. No. 9 (1890).

(EGYPT.)

CORRESPONDENCE

RESPECTING A

NEW COMMERCIAL CONVENTION

WITH

EGYPT.

Presented to both Houses of Parliament by Command of Her Majesty.
March 1890.

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Correspondence respecting a New Commercial Convention with Egypt.

No. 1.

Sir E. Baring to the Marquis of Salisbury.—(Received November 11.)

My Lord, *Cairo, November 2, 1889.*

I HAVE the honour to inclose herewith the Commercial Convention signed by the Minister for Foreign Affairs of the Government of the Khedive and myself on the 29th October last.

Your Lordship will see from the inclosed copy of Zoulfikar Pasha's note, that the Egyptian Government consent to a reduction of £ E. 40,000 in the light dues as soon as the new Tariff is applied to all the other Powers.

I have, &c.
(Signed) E. BARING.

Inclosure 1 in No 1.

Zoulfikar Pasha to Sir E. Baring.

M. le Ministre, *Le Caire, le 29 Octobre, 1889.*

EN vous remettant un des deux exemplaires de la Convention Commerciale que j'ai eu l'honneur de signer avec vous, en date de ce jour, je m'empresse de vous déclarer que le Gouvernement de Son Altesse consent à réduire de £ E. 40,000 les droits des phares, dès que le Tarif prévu par la dite Convention sera appliqué à toutes les Puissances.

Veuillez, &c.
(Signé) ZOULFIKAR.

(Translation.)

M. le Ministre, *Cairo, October 29, 1889.*

I TRANSMIT to you one of the two copies of the Commercial Convention which I have had the honour to sign with you on this day, and I hasten to state to you that the Government of His Highness agrees to reduce the light dues by £ E. 40,000 as soon as the Tariff provided by the Convention in question is applied to all the Powers.

I have, &c.
(Signed) ZOULFIKAR.

Inclosure 2 in No. 1.

Commercial Convention between Great Britain and Egypt.—Signed at Cairo, October 29, 1889.

THE Undersigned, Sir Evelyn Baring, G.C.M.G., K.C.B., K.C.S.I., C.I.E., Minister Plenipotentiary, Agent and Consul-General of Her Britannic Majesty in Egypt, and his Excellency Zoulfikar Pasha, Minister for Foreign Affairs of the Government of His Highness the Khedive of Egypt;

Duly authorized by their respective Governments, and so far as Egypt is concerned within the limits of the powers conferred by the Imperial Firmans, have agreed to the following:—

LES Soussignés, Sir Evelyn Baring, G.C.M.G., K.C.B., K.C.S.I., C.I.E., Ministre Plénipotentiaire, Agent Diplomatique et Consul-Général de Sa Majesté Britannique en Égypte, et son Excellence Zoulfikar Pacha, Ministre des Affaires Étrangères du Gouvernement de Son Altesse le Khédive d'Égypte;

Dûment autorisés par leurs Gouvernements respectifs, et en ce qui concerne l'Égypte dans les limites des pouvoirs conférés par les Firmans Impériaux, sont convenus de ce qui suit:—

ARTICLE I.

There shall be reciprocal freedom of commerce and navigation between the United Kingdom of Great Britain and Ireland and Egypt. British subjects in Egypt, and Egyptians in the United Kingdom of Great Britain and Ireland, shall have liberty freely to come, with their ships and cargoes, to all places and ports in the other country to which natives are or may be permitted to come, and shall enjoy respectively the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by natives, without having to pay any tax or impost greater than those paid by the same.

ARTICLE I.

Il y aura liberté réciproque de commerce et de navigation entre le Royaume-Uni de la Grande-Bretagne et d'Irlande et l'Égypte.

Les sujets Britanniques en Égypte et les Égyptiens dans le Royaume-Uni de la Grande-Bretagne et d'Irlande pourront librement entrer, avec leurs navires et leurs cargaisons, dans tous les lieux et ports de chacun des deux pays dont l'entrée est ou serait permise aux nationaux du pays, et ils jouiront respectivement, en matière de commerce et de navigation, des mêmes droits, privilèges, libertés, faveurs, immunités, et franchises dont jouissent ou pourraient jouir les nationaux du pays, sans qu'ils aient à payer aucune taxe ou droit plus élevés que ceux auxquels ces derniers sont assujettis.

ARTICLE II.

No other or higher duties shall be imposed on the importation into the United Kingdom of Great Britain and Ireland of any article, the produce or manufacture of Egypt, from whatever place arriving, and no other or higher duties shall be imposed on the importation into Egypt of any article, the produce or manufacture of the United Kingdom of Great Britain and Ireland, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of either of the Contracting Countries, into the other, from whatever place arriving, which shall not equally

ARTICLE II.

Les importations dans le Royaume-Uni de la Grande-Bretagne et d'Irlande d'un article quelconque, produit du sol ou de l'industrie de l'Égypte, de quelque provenance que ce soit, et réciproquement les importations en Égypte d'un article quelconque, produit du sol ou de l'industrie du Royaume-Uni de la Grande Bretagne et d'Irlande, de quelque provenance que ce soit, ne seront pas frappées d'autres droits ou de droits plus élevés que ceux dont sont frappées les importations d'articles similaires, produits du sol ou de l'industrie de tout autre pays étranger; de même, il ne sera maintenu ou édicté contre l'importation d'un article quelconque, produit du sol ou de l'industrie de l'un ou de l'autre des

extend to the importation of the like article being the produce or manufacture of any other foreign country.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

Tobacco of all kinds, tombac, salt, saltpetre, natron, hasheesh, arms of every description, ammunition, gunpowder, and explosible material, are excluded from the stipulations of the present Convention.

ARTICLE III.

No other or higher duties or charges shall be imposed in the United Kingdom of Great Britain and Ireland or in Egypt respectively on the exportation of any article to the other Contracting Country than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from either of the two Contracting Countries to the other which shall not equally extend to the exportation of the like article to any other foreign country.

ARTICLE IV.

The Contracting Governments agree that in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which one Contracting Party has actually granted, or may hereafter grant, to the natives of any other State shall, on the demand of the other Contracting Government, be immediately and unconditionally extended to the natives of the other Contracting Party, which shall, by the simple fact of such demand, assume, as regards Administrative Regulations of Customs, Coast-Guard, and Police, all the obligations incumbent on the State with which it demands assimilation.

ARTICLE V.

British ships shall, in Egypt, and Egyptian vessels shall, in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships.

The preceding stipulation applies to local

deux Pays Contractants, de quelque provenance que ce soit, aucune prohibition qui ne s'appliquerait pas également à l'importation du même article, produit du sol ou de l'industrie de tout autre pays étranger.

Cette dernière disposition n'est pas applicable aux mesures sanitaires et autres interdictions résultant de la nécessité de protéger la santé publique, celle des bestiaux, et les plantes utiles à l'agriculture.

Le tabac de toutes espèces, le tombac, le sel, le salpètre, le natron, et le hachiche, les armes de toute nature, les munitions, la poudre et les matières explosibles sont exclus des stipulations de la présente Convention.

ARTICLE III.

L'exportation, par l'un des Pays Contractants, d'un article quelconque à destination de l'autre pays, ne pourra être frappée en Égypte et respectivement dans le Royaume-Uni de la Grande-Bretagne et d'Irlande de droits ou charges autres ou plus élevés que ceux qui sont ou pourraient être acquittés lors de l'exportation du même article à destination de tout autre pays étranger ; il ne pourra, non plus, être établi par l'une des Parties Contractantes, à l'égard de l'autre, aucune prohibition à l'exportation qui ne soit applicable également à l'exportation du même article à destination de tout autre pays étranger.

ARTICLE IV.

Les Parties Contractantes conviennent que, pour tout ce qui concerne le commerce et la navigation, tous privilèges, faveurs, ou immunités quelconques que l'une des deux Parties Contractantes a déjà accordés ou pourrait ultérieurement accorder aux nationaux de toute autre Puissance seront, sur la demande de l'autre Partie Contractante, étendus immédiatement et sans conditions aux nationaux de celle-ci, qui, par le seul fait de cette demande, assumera, pour ce qui concerne les Règlements Administratifs des Douanes, des Gardes-Côtes, et de la Police, toutes les obligations incombant à la Puissance à laquelle elle demande d'être assimilée.

ARTICLE V.

Quel que soit le port de départ des navires et quelque soit le lieu d'origine ou de destination de leur cargaison, les navires Britanniques en Égypte et, réciproquement, les navires Égyptiens dans le Royaume-Uni de la Grande-Bretagne et d'Irlande jouiront, sous tous les rapports, du même traitement que les navires du pays.

Cette stipulation s'applique aux Règle-

treatment, dues and charges in the ports, basins, docks, roadsteads, and harbours of the two countries, pilotage, and generally to all matters connected with navigation.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Egyptian law, are to be deemed Egyptian vessels, shall, for the purposes of this Convention, be respectively deemed British or Egyptian vessels.

The coasting trade and interior navigation, however, are excepted from the preceding stipulations, and remain subject to the respective laws of the two countries.

All articles, from whatever place arriving, and whatever may be their place of origin, may be imported or exported in the vessels of the Contracting Parties without being liable to any other restriction or higher duties in the other country than if the articles were exported or imported in native vessels, or in those of any other State.

ments locaux, aux taxes et perceptions dans les ports, bassins, docks, rades et havres des deux pays, au pilotage et, en général, à tout ce qui concerne la navigation.

Tous les navires qui, d'après les lois Britanniques, sont considérés comme navires de nationalité Britannique, de même que tous les navires qui, d'après les lois Égyptiennes, sont considérés comme navires Égyptiens, seront, pour tout ce qui concerne la présente Convention, considérés respectivement comme navires Britanniques ou Égyptiens.

Cependant, le cabotage, ainsi qui la navigation intérieure, sont exclus des stipulations précédentes et restent soumis aux lois respectives des deux pays.

Tous les articles, quels qu'en soient la provenance ou le lieu d'origine, importés ou exportés par les navires des Parties Contractantes, ne pourront être soumis, dans l'un ou l'autre des deux pays, à des restrictions autres ou à des droits plus élevés que ceux auxquels seraient assujettis ces mêmes articles dans l'un des deux pays s'ils étaient importés ou exportés par les navires nationaux ou par des navires de tout autre État.

ARTICLE VI.

The undermentioned goods, the produce or manufacture of the United Kingdom of Great Britain and Ireland, shall pay, on importation into Egypt, duty not exceeding 10 per cent. *ad valorem*, viz. :—

1. Metals, raw, partially manufactured and wholly manufactured, including machinery and parts thereof, agricultural machines and implements, railway and tramway carriages and engines, hardware, and all articles of which metals (except gold or silver) are the principal component.

2. Cutlery, ordinary, that is to say, with handles of any material except gold, silver, pearl, or tortoiseshell.

3. Yarns, threads, cordage, and cables, nets, velvets, and all other fabrics, plain, open-work, or fancy, unbleached, bleached, printed or dyed, manufactured from any vegetable fibre, such as cotton, jute, flax, hemp, rhea, palm, aloe, or the like.

4. Yarns and fabrics as enumerated in Class 3 manufactured from wool, worsted, mohair, vicuna, camel-hair, or any animal fibre except silk.

5. Mixed fabrics of the materials enumerated in Classes 3 and 4, and also with an admixture of silk or waste silk not exceed-

ARTICLE VI.

Les articles ci-après mentionnés, produit du sol ou de l'industrie du Royaume-Uni de la Grande-Bretagne et d'Irlande paieront, à leur importation en Égypte, un droit qui ne pourra dépasser 10 pour cent *ad valorem*, savoir :—

1. Métaux bruts, partiellement ou totalement ouvrés, y compris machines et engins mécaniques et pièces de machines et engins mécaniques, machines et outils agricoles, locomotives et voitures de chemins de fer ou tramway, quincaillerie et tous articles fabriqués principalement en métal, à l'exception de l'or et de l'argent.

2. Coutellerie ordinaire, c'est-à-dire avec manches ou poignés de matière quelconque, à l'exception de l'or, l'argent, la nacre ou l'écaille.

3. Fils et filés, cordages et câbles, tulles, velours, et tous autres tissus unis, ouvrés à jour, ou de fantaisie, blanchis ou non blanchis, imprimés ou teints, fabriqués avec des fibres végétales quelconques, telles que : coton, jute, lin, chanvre, ramie, palmier, aloès, ou similaires.

4. Filés et tissus comme ceux énumérés au paragraphe 3 mais fabriqués en laine ou filés de laine, poils de chèvre, de vigogne, de chameau, ou en fibres provenant de tout autre animal, excepté la soie.

5. Tissus mélangés, fabriqués soit avec les matières énumérées aux paragraphes 3 et 4, soit avec adjonction de soie ou de

ing 20 per cent. in weight of the whole fabric.

6. Coal.
7. Indigo.
8. Rice.
9. Oil-seeds.

The Egyptian Government preserves an absolute right respecting the taxation of all other articles. The Regulations and tarifications of such other articles shall be applicable to British subjects under the same conditions as to natives or to foreigners the most favoured in that respect.

The duties *ad valorem* levied in Egypt on goods the produce or manufacture of the United Kingdom of Great Britain and Ireland shall be calculated on the value at the place of shipment or purchase of the object imported, with the addition of the cost of transport, including insurance, necessary for the importation into Egypt as far as the port of discharge.

For the levying of these duties the importer shall make a written declaration at the Custom-house, stating the description of the goods imported and their value at the port of discharge.

The Customs may further, in contested cases, insist on the production of all the documents which should accompany consignments of merchandize, such as invoices, policies of insurance, correspondence, &c.

If the Custom-house authorities shall be of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared by him, with an addition of 5 per cent. This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within the fifteen days following the declaration.

The said authorities shall also have the right of taking the duties in kind. In order to take the duties in kind the Customs shall have the right of selecting the articles according to their declared value until the amount due to them shall be reached.

déchets de soie n'excédant pas 20 pour cent du poids total du tissu.

6. Houille.
7. Indigo.
8. Riz.
9. Graines oléagineuses.

Le Gouvernement Égyptien conserve un droit absolu de taxation sur tous autres articles. Les Règlements concernant ces autres articles, ainsi que leur tarification, seront applicables aux sujets Britanniques dans les mêmes conditions qu'aux nationaux Égyptiens ou sujets étrangers les plus favorisés à cet égard.

Les droits *ad valorem* perçus en Égypte sur les marchandises, produits du sol ou de l'industrie du Royaume-Uni de la Grande-Bretagne et d'Irlande, seront calculés sur la valeur dans le lieu de chargement ou d'achat de l'article importé, avec majoration des frais de transport et d'assurance jusqu'au port de déchargement en Égypte.

Pour la perception de ces droits, une déclaration écrite, donnant la description des articles importés et leur valeur au lieu de déchargement, devra être remise à la Douane par l'importateur.

Les Douanes pourront, en outre, en cas de contestation, exiger la production de tous les documents devant accompagner l'envoi des marchandises, tels que : factures, polices d'assurance, correspondance, &c.

Dans le cas où la valeur déclarée serait jugée insuffisante par les autorités Douanières, celles-ci seront libres de prendre les marchandises, en payant à l'importateur le prix déclaré par lui, avec une majoration de 5 pour cent. Ce paiement ainsi que le remboursement de tous droits quelconques qui auraient pu être perçus sur les dites marchandises seront effectués dans les quinze jours qui suivront la déclaration.

Les dites autorités auront également le droit de percevoir les droits en nature. Pour percevoir les droits en nature, les Douanes auront le droit de choisir les articles, en calculant leur valeur d'après le prix déclaré jusqu'à concurrence du montant des droits à acquitter.

ARTICLE VII.

In order to establish for a fixed period the value at the port of entry of the principal articles taxed *ad valorem*, the Administration of the Egyptian Customs shall invite the principal merchants interested in the trade of the said articles to proceed in common with them to establish a Tariff for a period not exceeding twelve months.

The Tariff thus fixed shall, until a Chamber of Commerce representing the entire

ARTICLE VII.

Afin de fixer pour une période déterminée, la valeur dans les ports d'entrée des principaux articles taxés *ad valorem*, l'Administration des Douanes Égyptiennes invitera les principaux commerçants intéressés dans le commerce des dits articles à procéder, en commun avec elle, à l'établissement d'un Tarif pour une période n'excédant pas douze mois.

Le Tarif ainsi fixé sera, jusqu'à la création d'une Chambre de Commerce représentant

trade of Alexandria shall have been created, be communicated by the Egyptian Customs to the British Consulate of Alexandria, and shall be considered as officially recognized, as regards British produce and subjects, if the Consulate makes no formal opposition during the fortnight following this communication.

ARTICLE VIII.

Export duties may be levied in Egypt at the rate not exceeding 1 per cent. *ad valorem*.

The value of articles exported shall be determined by the Customs, who will, as far as possible, cause periodic Tariffs to be established.

The Egyptian Government reserves the right to insist on the exporter of the articles producing proof of the payment of the special internal taxes to which the articles in question may be liable; if the said proof is not furnished, the exportation of the articles may be prohibited.

Merchandize to be transhipped, whether directly or after having been conveyed by rail across Egyptian territory, or placed in bonded stores, is free from all import or export duty. But articles intended for the use of the vessels which ship them are liable to a duty equivalent to the export duty, *i.e.*, 1 per cent. *ad valorem*.

ARTICLE IX.

If one of the Contracting Parties shall impose an excise tax, that is to say, an inland duty, upon any article of home production or manufacture, an equivalent compensatory duty may be imposed on articles of the same description on their importation from the territories of the other country, provided that the said equivalent duty is levied on like articles on their importation from all foreign countries.

In the event of the reduction or suppression of excise taxes, that is to say, inland duties, a corresponding reduction or suppression shall at the same time be made in the equivalent compensatory import duty on the produce or manufactures of British or Egyptian origin, as the case may be.

The Regulations concerning special taxes and accessory customs duties, such as, dues for porters, warehousing, deposit, dues for quays, cranes, sluices, "tamkin," leading, permits to pass, declarations, weighing,

le commerce général d'Alexandrie, communiqué par les Douanes Égyptiennes au Consulat Britannique à Alexandrie, et sera considéré comme officiellement reconnu, en ce qui concerne les produits et les sujets Britanniques, si le Consulat n'y fait pas une formelle opposition pendant la quinzaine qui suivra cette communication.

ARTICLE VIII.

Les droits d'exportation seront perçus en Égypte à un taux qui n'excédera pas 1 pour cent *ad valorem*.

La valeur des articles exportés sera fixée par la Douane qui, autant que possible, procédera à l'établissement de Tarifs périodiques.

Le Gouvernement Égyptien se réserve le droit d'exiger de l'exportateur la production des preuves de l'acquittement des taxes spéciales intérieures auxquelles les articles destinés à l'exportation pourraient être assujettis; à défaut de cette preuve, l'exportation des dits articles pourra être interdite.

Les marchandises destinées au transbordement, soit directement, soit après avoir été transportées par la voie ferrée sur le territoire Égyptien, ou celles destinées à être placées dans les entrepôts réels, seront libres de tout droit d'importation ou d'exportation. Mais les articles destinés à l'usage des navires sur lesquels ils sont chargés seront soumis à un droit équivalent au droit d'exportation, c'est-à-dire, 1 pour cent *ad valorem*.

ARTICLE IX.

Si l'une des Parties Contractantes établit un droit d'accise, c'est-à-dire, une taxe intérieure, sur un produit quelconque du sol ou de l'industrie nationale, les articles de même nature importés des territoires de l'autre Partie Contractante pourront être frappés d'un droit compensateur équivalent, pourvu que les articles de même nature importés de tous autres pays étrangers soient soumis au même traitement.

Dans le cas de réduction ou de suppression des taxes d'accise, c'est-à-dire, des taxes intérieures, dans l'un des deux pays, le droit compensateur équivalent perçu dans l'autre pays sur l'importation des produits du sol ou de l'industrie d'origine Britannique ou Égyptienne, selon le cas, sera, en même temps, supprimé ou réduit dans une mesure correspondante à la réduction opérée sur les dites taxes d'accise.

Les Règlements concernant les taxes spéciales et les droits accessoires en douane, tels que droit de factage, d'entrepôt, de dépôt, droits de quai, de grues, d'écluses, de "tamkin," de plombage, de laisser-

measuring, and all other, shall be applied by the Customs of the two Contracting Countries to the natives and merchandize of the other as to their own natives and merchandize.

The preceding stipulations in nowise affect the right of Municipalities and Communes to levy, for their profit, octroi and excise duties on beverages and liquids, provisions and fodder, combustibles and building materials on their introduction into the Municipality or Commune for consumption therein even in case articles of a similar description should not exist in Egypt.

ARTICLE X.

Articles liable to duty, serving as patterns or samples, which shall be introduced into the United Kingdom by Egyptian commercial travellers, or into Egypt by commercial travellers of the United Kingdom, shall be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond :—

1. The officers of Customs at any port or place at which the patterns and samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.

2. For the purpose of identification, each separate pattern or sample shall, as far as possible, be marked by the affixing of a stamp, or by means of a seal being attached to it.

3. A permit or certificate shall be given to the importer, which shall contain :—

(*a.*) A list of the patterns or samples imported, specifying the nature of the goods, and also such particular marks as may be proper for the purpose of identification ;

(*b.*) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it ;

(*c.*) A statement showing the manner in which the patterns or samples were marked ;

(*d.*) The appointment of a period which, at the utmost, must not exceed twelve months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account, or the

passer, de déclarations, de pesage, de mesurage et tous autres droits, seront appliqués par les Douanes de chacune des deux Parties Contractantes aux nationaux et aux marchandises de l'autre pays, comme à ses propres nationaux et aux marchandises du pays même.

Les dispositions qui précèdent n'affectent en rien le droit des Municipalités et des Communes de frapper, à leur profit, de taxes d'octroi ou d'accise les boissons et les liquides, les comestibles, les fourrages, les combustibles, et les matériaux de construction à leur entrée dans la Municipalité ou la Commune pour y être consommés, quand bien même ces articles n'auraient pas de similaires en Égypte.

ARTICLE X.

Les articles passibles de droits et servant, soit de modèles, soit d'échantillons, qui seront introduits dans le Royaume-Uni par des voyageurs de commerce Égyptiens, ou en Égypte par des voyageurs de commerce du Royaume-Uni, seront admis en franchise à condition de satisfaire aux formalités suivantes qui seront requises pour assurer leur réexportation ou leur mise en entrepôt :—

1. Les préposés des Douanes de tout port ou lieu, dans lequel les modèles ou échantillons seront importés, constateront le montant du droit applicable aux dits articles. Le voyageur de commerce devra déposer, en espèces, le montant des dits droits au bureau de la Douane, ou fournir une caution valable.

2. Pour assurer leur identité, chaque modèle ou échantillon séparé sera, autant que possible, marqué au moyen d'une estampille ou d'un cachet y apposé.

3. Il sera délivré à l'importateur un permis ou certificat qui donnera :—

(*a.*) Une liste des modèles ou échantillons importés, spécifiant la nature des articles ainsi que les marques particulières qui peuvent servir à la constatation de leur identité ;

(*b.*) Un état indiquant le montant du droit dont les modèles ou échantillons sont passibles et spécifiant si ce montant a été déposé en espèces, ou garanti par caution ;

(*c.*) Un état indiquant la façon dont les modèles ou échantillons ont été marqués ;

(*d.*) La limite de temps qui, en aucun cas, ne pourra dépasser douze mois, à l'expiration de laquelle, s'il n'est pas prouvé que les modèles ou échantillons ont été antérieurement réexportés ou mis en entrepôt, le montant du droit déposé sera versé au Trésor ou recouvré s'il en a été

amount recovered under the security given. No charge shall be made to the importer for the above permit or certificate, or for marking for identification.

4. Patterns or samples may be re-exported through the Custom-house through which they were imported, or through any other.

5. If before the expiration of the appointed time (paragraph 3 (*d*)) the patterns or samples should be presented at the Custom-house of any port or place for the purpose of re-exportation or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the same as those for which the permit of entry was granted. If so satisfied, the officers will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

donné caution. Il ne sera exigé de l'importateur aucuns frais pour la délivrance du certificat ou permis, non plus que pour l'estampille destinée à la constatation de l'identité.

4. Les modèles ou échantillons pourront être réexportés par le Bureau de Douane d'entrée, ou par tout autre Bureau.

5. Si, avant l'expiration de la limite de temps fixée (paragraphe 3 (*d*)), les modèles ou échantillons étaient présentés à la Douane d'un port ou lieu quelconque pour être réexportés ou entreposés, les préposés de la Douane de ce port ou de ce lieu devront s'assurer, par une vérification, si les articles qui leur sont présentés sont bien ceux pour lesquels a été délivré le permis d'entrée. S'ils reconnaissent ces articles, les préposés de la Douane certifieront la réexportation ou la mise en entrepôt et rembourseront le montant des droits déposés, ou prendront les mesures nécessaires pour la décharge de la caution.

ARTICLE XI.

Are alone exempt from all control in Egyptian Custom-houses on importation and exportation, as well as from the payment of duties, articles, and personal effects belonging to Consuls-General, and Consuls in the regular Consular Service ("Consuls de carrière"), having no other business, engaged neither in trade nor industry, and neither possessing nor working real property in Egypt.

ARTICLE XI.

Sont seuls exemptés de toute vérification dans les Douanes Égyptiennes, aussi bien que du paiement des droits, à l'entrée et à la sortie, les objets et effets personnels appartenant aux Consuls-Généraux et Consuls de carrière qui n'exercent aucune autre profession, ne s'occupent ni de commerce ni d'industrie, et ne possèdent ni n'exploitent des biens-fonds en Égypte.

ARTICLE XII.

Each of the two Contracting Governments has the right to put into force any Regulations required for the working of their Services and for the suppression of fraud, as well as any measures dictated by reasons of public health or security, on condition that such Regulations are equally applied to the ships and subjects of all other nations.

Such Regulations, including the supervision of ships and the searching for, or pursuit of, contraband goods, as well as the fines and other penalties therein made applicable in case of false declaration; smuggling, or attempting to smuggle, fraud, or attempts to defraud, or any infringement of the Regulations, shall, together with the measures that may be taken in regard to public health or security, be applicable in either of the two countries to the natives of the other under the same conditions as to natives of the country itself.

ARTICLE XII.

Les deux Gouvernements Contractants ont, chacun, le droit de mettre en vigueur tous Règlements quelconques destinés à assurer le bon fonctionnement de leurs Services, à réprimer la fraude, aussi bien que d'appliquer toutes mesures intéressant l'hygiène publique ou la sécurité du pays, à condition que ces Règlements soient également applicables aux navires et aux sujets de toute autre nation.

Les dits Règlements, y compris la surveillance des navires, la recherche ou la poursuite des marchandises de contrebande; aussi bien que les amendes et autres pénalités applicables en vertu de ces Règlements, en cas de fausse déclaration, de contrebande ou tentative de contrebande, de fraude ou tentative de fraude, ou d'infractions quelconques aux Règlements seront, ainsi que les mesures qui pourraient être prises relativement à l'hygiène et à la sécurité publiques, applicables aux nationaux de l'un et de l'autre pays dans les mêmes conditions qu'aux nationaux du pays même.

If, however, the Egyptian authorities should desire to search the dwelling-house of a British subject, or a British ship anchored in an Egyptian port, a duplicate of the search-warrant shall be sent to the British Consular authority, who may at once take part if he thinks proper to do so, without the formality in question delaying the search, and no such search shall be made except between sunrise and sunset.

It is understood, however, that the preceding stipulation shall not apply to cases in which the search is to be made in a warehouse or depôt, or on board a ship which may have remained in an Egyptian port, for any reason whatsoever, more than twenty-one days. In such cases notification to the British Consular authority will not be necessary.

It is further understood that the Egyptian Government may, without notification to the British Consular authorities, put guards on board any British ship in an Egyptian port or traversing the Suez Canal.

In cases of suspicion of smuggling, the Egyptian Customs officers may board and seize any British ship of less than 200 tons burthen at anchor outside an Egyptian port, or sailing within 10 kilom. of the shore. Ships of less than 200 tons burthen may, moreover, be boarded and seized beyond the 10 kilom. limit, if the pursuit shall have been commenced within such limit.

Except in the cases provided for in paragraphs 3 and 4 of this Article, no British ship exceeding 200 tons burthen shall be boarded or seized by the Egyptian Customs officers.

ARTICLE XIII.

The provisions of the preceding Articles do not apply—

1. To the special arrangement existing, or which may in the future exist, between Egypt and the other parts of the Ottoman Empire, under the direct administration of the Porte, or between Egypt and Persia.

2. To the arrangements which the Egyptian Government may make for the exchange of native or foreign merchandize with the Soudan.

Cependant, si les autorités Égyptiennes désirent opérer une perquisition dans l'habitation d'un sujet Britannique ou à bord d'un navire Britannique ancré dans un port Égyptien, un double du mandat de perquisition devra être envoyé à l'autorité Consulaire Britannique qui pourra immédiatement assister à la perquisition, si elle le juge à propos, sans que, toutefois, l'exécution puisse en être retardée par cette formalité ; de telles perquisitions ne pourront être opérées qu'à partir du lever jusqu'au coucher du soleil.

Il est entendu, néanmoins, que la stipulation précédente ne sera pas applicable dans le cas où la perquisition doit être faite dans un entrepôt ou un dépôt, ou à bord d'un navire qui aurait séjourné, pour une raison quelconque, dans un port Égyptien, pendant plus de vingt et un jours ; en pareil cas, il ne sera pas nécessaire de notifier la perquisition à l'autorité Consulaire Britannique.

En outre, il est entendu que le Gouvernement Égyptien pourra, sans notification aux autorités Consulaires Britanniques, placer des gardes à bord de tout navire Britannique dans un port Égyptien ou transitant par le Canal de Suez.

En cas de soupçons de contrebande, les agents des Douanes Égyptiennes pourront aborder et saisir tout navire Britannique d'un tonnage de moins de 200 tonneaux, ancrés en dehors des eaux d'un port Égyptien ou naviguant dans un rayon de 10 kilom. du rivage ; de plus, tout navire Britannique de moins de 200 tonneaux pourra être abordé et saisie au delà de cette distance si la poursuite a été commencée dans un rayon de 10 kilom. du littoral.

Excepté dans les cas prévus dans les paragraphes 3 et 4 du présent Article, aucun navire Britannique de plus du 200 tonneaux ne pourra être abordé ou saisi par les agents des Douanes Égyptiennes.

ARTICLE XIII.

Les stipulations des Articles précédents ne s'appliquent pas :

1. Aux arrangements spéciaux actuels ou qui pourraient intervenir ultérieurement, soit entre l'Égypte et les autres parties de l'Empire Ottoman, placés sous l'administration directe de la Sublime Porte, soit entre l'Égypte et la Perse ;

2. Aux dispositions que pourrait prendre le Gouvernement Égyptien pour l'échange des marchandises indigènes ou étrangères avec le Soudan.

ARTICLE XIV.

The effect of the alterations of the present Tariff of duties, provided under Article VI, remains suspended until the alterations in question are also applicable to all other interested Powers.

ARTICLE XV.

The stipulations of the present Convention shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Egyptian Government by Her Britannic Majesty's Representative at Cairo, within one year from the date of the signature of the present Convention.

ARTICLE XVI.

The present Convention shall come into force on the 1st January, 1890, and shall remain in force for ten years from that date. And in case neither of the two Contracting Parties shall have notified twelve months before the expiration of the said period of ten years its intention of putting an end to the present Convention, it shall remain binding until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

In witness whereof the Undersigned have signed the present Convention, and have affixed thereto their seals.

Done in duplicate, at Cairo, the twenty-ninth day of October, one thousand eight hundred and eighty-nine.

(L.S.) EVELYN BARING.
(L.S.) ZOULFIKAR.

ARTICLE XIV.

L'effet des modifications du present Tarif de droits, prévus à l'Article VI, demeure suspendu, jusqu'à ce que les dites modifications deviennent également applicables aux autres Puissances intéressées.

ARTICLE XV.

Les stipulations de la présente Convention seront applicables, dans la mesure compatible avec les lois, à toutes les Colonies et possessions étrangères de Sa Majesté Britannique, à l'exception des pays ci-après mentionnés :—

Dominion du Canada ;
Terre-Neuve ;
Le Cap ;
Natal ;
Nouvelle-Galles-du-Sud ;
Victoria ;
Queensland ;
Tasmanie ;
Australie du Sud ;
Australie Occidentale ;
Nouvelle-Zélande.

Sous la réserve, toutefois, que les stipulations de la présente Convention seront rendues applicables à celles des Colonies ou possessions étrangères ci-dessus désignées pour lesquelles notification à cet effet serait donnée au Gouvernement Égyptien par le Représentant de Sa Majesté Britannique au Caire, dans le délai d'un an à partir de la date de la signature de la présente Convention.

ARTICLE XVI.

La présente Convention entrera en vigueur le 1er Janvier, 1890, et restera valable pour une période de dix ans, à partir de cette date. Dans le cas où aucune des deux Parties Contractantes n'aurait notifié, douze mois avant la date de l'expiration de la dite période de dix années, son intention de mettre fin à la présente Convention, celle-ci demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Parties Contractantes l'aura dénoncée.

En foi de quoi les Soussignés ont apposé leurs signatures et le cachet de leurs armes à la présente Convention.

Fait en double au Caire, le vingt-neuf Octobre, mil huit cent quatre-vingt-neuf.

(L.S.) EVELYN BARING.
(L.S.) ZOULFIKAR.

No. 2.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 23.)

(Extract.) *Cairo, December* 14, 1889.

THE desirability of giving due notice to the trade before any changes are made in the Tariff is fully recognized here.

I have been in communication with the Egyptian authorities on the subject, and have reason to believe that they will not object to three months' notice, and I have therefore addressed the letter, of which I have the honour to inclose a copy, to the Minister of Foreign Affairs. I will in due course communicate to your Lordship the official answer of the Egyptian Government.

Inclosure in No. 2.

Sir E. Baring to Zoulfikar Pasha.

M. le Ministre, *Cairo, December* 13, 1889.

WITH reference to the Commercial Convention recently signed between Great Britain and Egypt, I have been directed by Lord Salisbury to draw your Excellency's attention to the desirability of giving due notice to the trade before the new Tariff is brought into force. Lord Salisbury would propose that the Egyptian Government should give public notice three months before the Tariff is applied.

I should feel much obliged if your Excellency would inform me whether the Egyptian Government agree to this proposal.

I avail, &c.
(Signed) E. BARING.

No. 3.

Sir E. Baring to the Marquis of Salisbury.—(*Received December* 31.)

My Lord, *Cairo, December* 17, 1889.

WITH reference to my despatch of 14th instant, I have the honour to inclose herewith the copy of a note from the Egyptian Minister for Foreign Affairs, assenting to the proposal that the new Tariff, as fixed by the Commercial Convention, should be published three months before its application.

I have, &c.
(Signed) E. BARING.

Inclosure in No. 3.

Zoulfikar Pasha to Sir E. Baring.

M. le Ministre, *Le Caire, le* 16 *Décembre,* 1889.

VOUS avez bien voulu, par votre dépêche du 13 de ce mois, m'informer que Lord Salisbury était d'avis que le Tarif prévu par la Convention Commerciale intervenue récemment entre nos deux Gouvernements, devrait être porté à la connaissance du public trois mois avant son application.

Le Gouvernement de Son Altesse s'empresse, M. le Ministre, de reconnaître le bien-fondé de cette observation; aussi j'ai l'honneur de vous donner l'assurance que les dispositions nécessaires seront prises, en temps opportun, pour que ce nouveau Tarif reçoive la publicité suggérée par sa Seigneurie.

Veuillez, &c.
(Pour Zoulfikar Pacha),
(Signé) TIGRANE.

(Translation.)

M. le Ministre, *Cairo, December* 16, 1889.

YOU were good enough to inform me, in your despatch of the 13th of this month, that Lord Salisbury was of opinion that the Tariff provided by the Commercial

Convention lately signed between our two Governments should be made known to the public three months before coming into force.

His Highness' Government hastens, M. le Ministre, to admit the propriety of this suggestion; I have therefore the honour to assure you that the necessary steps shall be taken at the proper time to give to the new Tariff the publicity suggested by his Lordship.

I have, &c.
(For Zoulfikar Pasha),
(Signed) TIGRANE.

No. 4.

Sir E. Baring to the Marquis of Salisbury.—(*Received February* 17.)

(Extract.) *Cairo, February* 6, 1890.

I HAVE the honour to transmit herewith copies of the notes which have been exchanged between the Egyptian Government and myself, fixing an additional twelve months (two years in all) as the period within which colonial accessions to the Commercial Convention of the 29th October, 1889, may be made.

Inclosure 1 in No. 4.

Sir E. Baring to Zoulfikar Pasha.

M. le Ministre, *Cairo, January* 31, 1890.

I HAVE the honour to inform your Excellency that I have received a despatch from the Marquis of Salisbury pointing out to me, in connection with the delay in the publication of the Commercial Convention of the 29th October, 1889, between Great Britain and Egypt, that difficulty may possibly arise from want of sufficient time for the self-governing British Colonies to act under the terms of Article XV of the Convention. It is therein provided that the stipulations of the Convention shall be made applicable to these Colonies upon notice on their behalf being given to the Egyptian Government within one year from the date of the signature of the Convention. But the Convention has hitherto not been communicated to the Colonies, and there will probably not be sufficient time for the Colonial Office to communicate with them fully on the subject within the period mentioned.

In instructing me to explain this difficulty, Lord Salisbury has requested me to ask your Excellency if the Egyptian Government would be willing to assent to an exchange of notes by which an additional twelve months (two years in all) will be agreed upon as the period within which colonial accessions to the Convention may be made.

I should be glad if your Excellency would inform me what answer I can give to Her Majesty's Government.

I avail, &c.
(Signed) E. BARING.

Inclosure 2 in No. 4.

Zoulfikar Pasha to Sir E. Baring.

M. le Ministre, *Le Caire, le 5 Février*, 1890.

AUX termes de la dépêche que vous m'avez fait l'honneur de m'adresser le 2 de ce mois, vous avez bien voulu m'informer que le Gouvernement de Sa Majesté voyait quelque difficulté à pouvoir rendre applicables aux Colonies Britanniques jouissant du "self-government" les stipulations de la Convention Commerciale signée le 29 Octobre dernier, entre la Grande-Bretagne et l'Égypte, en raison du délai, trop rapproché, d'un an, visé par l'Article XV de la Convention, pour la notification au Gouvernement Égyptien de l'adhésion de ces Colonies.

Vous ajoutez, M. le Ministre, que le Gouvernement de Sa Majesté désirait savoir si le Gouvernement de Son Altesse consentirait à un échange de notes devant stipuler un délai additionnel de douze mois, deux années en tout, à partir de la date de la

signature de la Convention, qui donnerait au Colonial Office le temps suffisant pour s'entendre complètement avec les Colonies mentionnées à l'Article XV.

J'ai l'honneur de vous informer, M. le Ministre, que le Gouvernement de Son Altesse est heureux de pouvoir déférer au désir exprimé par le Gouvernement de Sa Majesté, et consent au délai additionnel dont il s'agit.

En vous priant de vouloir bien porter cette communication à la connaissance de sa Seigneurie Lord Salisbury, je saisis, &c.

(Signé) ZOULFIKAR.

(Translation.)

M. le Ministre, *Cairo, February* 5, 1890.

IN the despatch which you did me the honour to address to me on the 2nd of this month you were good enough to inform me that Her Majesty's Government saw some difficulty in rendering the stipulations of the Commercial Convention signed on the 29th October last between Great Britain and Egypt applicable to the British Colonies enjoying self-government, on account of the too short delay of one year allowed by Article XV of the Convention for notifying to the Egyptian Government the adherence of these Colonies.

You add, M. le Ministre, that Her Majesty's Government wishes to know if the Government of His Highness would consent to an exchange of notes by which an additional twelve months (two years in all) may be agreed upon from the date of the signature of the Convention, which would give the Colonial Office sufficient time to make full arrangements with the Colonies mentioned in Article XV.

I have the honour to inform you, M. le Ministre, that His Highness' Government is happy to be able to accede to the desire expressed by Her Majesty's Government, and consents to the additional delay.

Begging you to be good enough to make this communication known to his Excellency Lord Salisbury, I take, &c.

(Signed) ZOULFIKAR.

(EGYPT.)

CORRESPONDENCE respecting a New Commercial Convention with Egypt.

Presented to both Houses of Parliament by Command of Her Majesty. March 1890.

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